



**New South Wales**

## **Legislative Council**

### **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Wednesday, 10 August 2016**

Authorised by the Parliament of New South Wales



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# LEGISLATIVE COUNCIL

Wednesday, 10 August 2016

**The PRESIDENT (The Hon. Donald Thomas Harwin)** took the chair at 11:00.

**The PRESIDENT** read the prayers.

## *Announcements*

### **TERRORIST ATTACK IN QUETTA, PAKISTAN**

**The PRESIDENT:** I inform the House that on behalf of members of the Legislative Council and the people of New South Wales, I have sent a message of condolence to the High Commissioner of Pakistan expressing sympathy to the relatives and friends of the people who were killed or injured by the recent terrorist attack in the western Pakistani city of Quetta.

*Members and officers of the House stood in their places as a mark of respect.*

## *Distinguished Visitors*

### **DISTINGUISHED VISITORS**

**The PRESIDENT:** I welcome into the public gallery Mr Michael Xu, President of the Federation of Australian Suzhou Association and members of the association; Ms Jane Gao, President of Tsinghua University Alumni Association; and Mr James Ding, the immediate past president and members of the alumni, guests of the Hon. Ernest Wong.

## *Motions*

### **WILLIAM SHAKESPEARE ANNIVERSARY**

**The Hon. MARK PEARSON (11:04):** I move:

That this House:

- (a) commemorates William Shakespeare's death four hundred years ago, which was certainly only the shedding of the genius' mortal coil;
- (b) notes that his brilliant and unparalleled crafting of words and rhyme through drama, poetry and song will live on forever;
- (c) acknowledges that he was a wordsmith whose oeuvres very few artists have ventured anywhere near and not one has surpassed;
- (d) acknowledges that through the instrument of his art, humankind has enjoyed insights and revelations into its own complex being and indeed all of the mysteries of nature, including the voiceless, that is, but only to our recognised tongues, animals; and
- (e) notes that this great man gripped his quill to reveal the plight of a hunted hare, the words forthwith so apt for a controvert nigh before this House:

*And when thou hast on foot the purblind hare,  
Mark the poor wretch, to overshoot his troubles  
How he outruns the wind and with what care  
He cranks and crosses with a thousand doubles:  
The many musets through the which he goes  
Are like a labyrinth to amaze his foes.  
Sometime he runs among a flock of sheep.  
To make the cunning hounds mistake their smell,  
And sometime where earth-delving conies keep,  
To stop the loud pursuers in their yell,  
And sometime sorteth with a herd of deer:  
Danger deviseth shifts; wit waits on fear:  
For there his smell with others being mingled,  
The hot scent-snuffing hounds are driven to doubt,  
Ceasing their clamorous cry till they have singled  
With much ado the cold fault cleanly out;  
Then do they spend their mouths: Echo replies,  
As if another chase were in the skies.  
By this, poor Wat, far off upon a hill,  
Stands on his hinder legs with listening ear,  
To hearken if his foes pursue him still:  
Anon their loud alarums he doth hear;  
And now his grief may be compared well*

*To one sore sick that hears the passing-bell.  
Then shalt thou see the dew-bedabbled wretch  
Turn, and return, indenting with the way;  
Each envious brier his weary legs doth scratch,  
Each shadow makes him stop, each murmur stay:  
For misery is trodden on by many,  
And being low never relieved by any.*

**Motion agreed to.**

**PHYSICAL DISABILITY COUNCIL OF NSW**

**The Hon. GREG DONNELLY (11:05):** I move:

- (1) That this House notes that:
  - (a) the Physical Disability Council of NSW [PDCN] is the peak body representing people with physical disabilities across New South Wales;
  - (b) PDCN is a not-for-profit, non-government organisation; and
  - (c) the organisation assists people with a physical disability to live ordinary lives as contributing members of the community by providing opportunities for individuals to gain information, knowledge and skills necessary to manage their own lives.
- (2) That this House notes that:
  - (a) between 2010 and 2012, PDCN undertook a project to conduct a series of emergency readiness and response workshops for people with disabilities to assist them identify their own risks, particularly for natural disasters;
  - (b) building on from the success of the project, PDCN developed and launched the initial "I'm Okay" website in 2013, which included sample evacuation plans and a simple four step procedural approach to becoming emergency ready, and which was well received and publicly recognised with both State and Federal awards;
  - (c) during 2015, PDCN approached the National Roads and Motorists' Association and secured funding to improve and upgrade the "I'm Okay" website; and
  - (d) on 28 July 2016, the "I'm Okay" website was relaunched at a special event held at Glebe Town Hall, with those present including:
    - (i) Mr Peter Simpson, President, PDCN;
    - (ii) Ms Serena Ovens, Executive Officer, PDCN;
    - (iii) Ms Louise Sauvage, OAM;
    - (iv) Ms Angela Ballard and Ms Madison de Rozario, paralympians;
    - (v) Ms Melanie Rebane, Senior Firefighter, Fire and Rescue NSW; and
    - (vi) the Hon. Greg Donnelly, MLC, representing the shadow Minister for Disability Services, the Hon. Sophie Cotsis, MLC.
  - (e) the upgraded website contains a number of new pages of information, along with various enhanced features;
  - (f) input into the upgraded website came from a range of sources including PDCN members, Sydney University Disaster Team Project, Fire and Rescue NSW, NSW Police Force, NSW Ambulance Service, local government and the Red Cross; and
  - (g) the new web address is [www.imokay.org.au](http://www.imokay.org.au).
- (3) That this House acknowledges and congratulates PDCN for the outstanding work that it does for people with physical disabilities in New South Wales and expresses its hope that PDCN's endeavours continue to go from strength to strength.

**Motion agreed to.**

**PAKISTAN INDEPENDENCE DAY**

**The Hon. SHAOQUETT MOSELMANE (11:06:0):** I move:

- (1) That this House notes that:
  - (a) Sunday 14 August 2016 is Pakistan Independence Day and will mark the country's seventieth birthday;
  - (b) Pakistan Independence Day celebrates the struggles and achievements of the people of Pakistan led by Muhammad Ali Jinnah; and
  - (c) the current Pakistani Diplomatic Corps is represented by High Commissioner Naela Chohan, Deputy High Commissioner, Dr Muhammad Khalid Ejaz, Consul General Abdul Majid Yousafani and Deputy Consul General Bushra Salam.
- (2) That this House notes the wonderful contribution that the Australian-Pakistani community has made in enriching our culturally diverse society and wishes the community and the diplomatic corps a happy Pakistan Independence Day.

**Motion agreed to.**

**INTERNATIONAL REMEMBRANCE DAY FOR DRUG USER DEATHS****Dr MEHREEN FARUQI (11:06):** I move:

- (1) That this House notes that:
  - (a) 21 July 2016 marked International Remembrance Day for people who have died as a result of drug use;
  - (b) this year, drug users and community groups gathered in Lawrence Hargrave Reserve, Elizabeth Bay to remember those we have lost to drugs; and
  - (c) harm reduction strategies should be prioritised in how society and government deal with drug use.
- (2) That this House acknowledges and remembers those in our community who have needlessly died due to drug use.

**Motion agreed to.****CONFERENCE ON VIOLENCE IN THE MEDIA****The Hon. GREG DONNELLY (11:07):** I move:

- (1) That this House notes:
  - (a) 18 July 2016, the Australian Council on Children and the Media in partnership with the Children and Families Research Centre at Macquarie University conducted a one-day conference at Parliament House, the subject of which was "Violence in the media: the stories and the science";
  - (b) the purpose of the conference, the fifth in the series dating back to 2009, was to focus on:
    - (i) unpacking the myths and presenting the scientific facts about violence in the media;
    - (ii) the role industry plays in shaping public perceptions on this topic;
    - (iii) the reporting of violence in the media and how this might impact further violence at an individual and societal level; and
    - (iv) the issue of developing effective evidence-based policy in these key areas.
  - (c) the conference was chaired by Professor Alan Hayes, AM;
  - (d) the opening address was delivered by Mr Andrew Scipione, AO APM, Commissioner of the NSW Police Force;
  - (e) the conference line-up featured a number of internationally renowned scholars, including:
    - (i) Distinguished Professor Craig Anderson from the United States;
    - (ii) Amos N. Tversky Professor L. Rowell Huesmann from the United States;
    - (iii) Professor Barbara Krahe from Germany;
    - (iv) Professor Douglas Gentile from the United States;
    - (v) Dr Wayne Warburton from Australia; and
    - (vi) Professor Elizabeth Handsley from Australia.
  - (f) the discussion panel facilitated by Professor Elizabeth Handsley included Noni Hazlehurst, AM, Sally Sara, AM, Professor Graham Vimpani, AM, and Dr Wayne Warburton.
- (2) That this House acknowledges and congratulates the Australian Council on Children and the Media and the Children and Families Research Centre at Macquarie University for undertaking the organisation and conduct of the conference and expresses its hope that they may continue their most important research and advocacy work on the issue of media violence and its impact on children and young people.

**Motion agreed to.****MR SIMON KO, CHIEF EXECUTIVE OFFICER, SING TAO NEWSPAPER****The Hon. SHAOQUETT MOSELMANE (11:08):** I move:

- (1) That this House notes that Mr Simon Ko of the *Sing Tao* newspaper has announced his retirement as chief executive officer of the Australian branch of *Sing Tao* after 37 years of dedicated service.
- (2) That this house notes that Mr Ko:
  - (a) first joined *Sing Tao* in 1980 in Hong Kong as executive director;
  - (b) migrated to Australia in 1998 and took up a senior management position, before being appointed, two years later, as chief executive; and
  - (c) expanded the *Sing Tao* readership and popularity to become the most popular Chinese-Australian newspaper in Australia, servicing its loyal brand of readers with local and abroad news and current affairs, as well as entertainment, travel, and lifestyle pieces.

- (3) That this House notes that Mr Ko was also active in the Australian-Chinese community, as the president of the Asia Media Council (Aus) Inc. and was the driving force in a number of charity and disaster relief works.
- (4) That this House notes Mr Ko's contribution in the field of media and communications and wishes him and his family well in future endeavours.

**Motion agreed to.**

**MR ABDUL SATTAR EDHI**

**The Hon. SHAOQUETT MOSELMANE (11:08):** I move:

- (1) That this House notes that:
  - (a) a prominent Pakistani philanthropist Mr Abdul Sattar Edhi died recently at the age of 88 and was given a State funeral;
  - (b) Mr Edhi was born in 1928 in a village called Bantva in India's Gujarat State;
  - (c) Mr Edhi was a philanthropist and a humanitarian who excelled for over six and a half decades in helping poor and poverty stricken people in Pakistan;
  - (d) Mr Edhi established the EDHI Foundation in 1951 which went on to become the most trusted humanitarian institution in Pakistan;
  - (e) the EDHI Foundation is a non-profit organisation working around the clock to provide ambulance services, orphanages, women's shelters, morgues, burial services and a host of other services across Pakistan;
  - (f) Mr Edhi stressed the importance of safeguarding the basic human rights, regardless of religion, caste or creed, and was known for stating: "My religion is humanitarianism ... which is the basis of every religion in the world";
  - (g) the EDHI Foundation wages war against prejudice, cruelty and greed;
  - (h) Mr Edhi was recognised for much of his work and received many awards including the Ramon Magsaysay Award for public service in 1986; and
  - (i) in 2015, the Hon. Amanda Fazio and the Hon. Shaoquett Moselmane, MLC, had the honour of meeting this humble man and delivered to his institution a container of wheelchairs for disabled children.
- (2) That this House notes the contribution of the late Abdul Sattar Edhi and expresses its condolence on the passing of this giant of a humanitarian.

**Motion agreed to.**

**FILIPINO ONLINE NEWS EMANILA.COM**

**The Hon. SHAOQUETT MOSELMANE (11:09):** I move:

- (1) That this House notes that:
  - (a) the website *emanela.com*, which produces the Filipino Australian online news service, was admitted to constituent membership of the Australian Press Council late last year, becoming the first multicultural media outlet to achieve admission; and
  - (b) the Australian Press Council was established in 1976 and is responsible for promoting good standards of media practice, community access to information of public interest and freedom of expression through the media.
- (2) That this House notes that:
  - (a) *emanela.com* has previously been awarded:
    - (i) the inaugural Technology Award for the NSW Premier's National Multicultural Marketing Awards in 2000;
    - (ii) for its coverage of community affairs in Australia at Parliament's Inaugural Multicultural Media Awards in 2012;
    - (iii) the Best Website (Interactive Media)—Migration Advocacy and Media award from the Office of the Philippine President's Commission on Filipinos Overseas also in 2012;
    - (iv) the Photographer of the Year award at the Multicultural and Indigenous Media Awards in 2014; and
    - (v) for its coverage of community affairs at the Multicultural and Indigenous Media Awards in 2015.
  - (b) *emanela.com* has done an outstanding job serving the Filipino-Australian community since 1998, starting out as a free translation service for Filipino youth living outside the Philippines and promoting Filipino-Australian community and cultural events to the wider mainstream community and eventually growing to manage over a dozen websites covering entertainment, travel, education and market research, as well as the popular Filipino-Australian online news website.

- (3) That this House congratulates Mr Romeo Z. Cayabyab, founder, editor and publisher of *emania.com* and all the staff of *emania.com* on their service to the community and on their achievement in gaining admission as a constituent member of the Australian Press Council.

**Motion agreed to.**

*Documents*

**UNPROCLAIMED LEGISLATION**

**The Hon. NIALL BLAIR:** I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 9 August 2016.

**TABLING OF PAPERS**

**The Hon. NIALL BLAIR:** I table the following reports:

- (1) Independent Pricing and Regulatory Tribunal Act 1992—"NSW Energy Savings Scheme—Compliance and Operation in 2015: Annual Report to the Minister—NSW Energy Savings Scheme", dated July 2016
- (2) Independent Pricing and Regulatory Tribunal Act 1992—"Energy Distribution Licences Annual Compliance Report 2014-15: Report to the Minister—Energy—Annual Compliance Report", dated October 2015

I move:

That the reports be printed.

**Motion agreed to.**

*Business of the House*

**POSTPONEMENT OF BUSINESS**

**Mr JEREMY BUCKINGHAM:** On behalf of Ms Jan Barham: I move:

That Business of House Notice of Motion No. 1 be postponed until Tuesday 13 September 2016.

**Motion agreed to.**

*Bills*

**GREYHOUND RACING PROHIBITION BILL 2016**

**First Reading**

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (11:23):** I move:

That leave be given to bring in a bill for an Act to prohibit greyhound racing and to dissolve Greyhound Racing NSW, to amend and subsequently repeal the Greyhound Racing Act 2009, and for other purposes.

**Question put.**

**The House divided.**

Ayes .....20  
Noes .....13  
Majority.....7

**AYES**

Ajaka, Mr J  
Buckingham, Mr J  
Cusack, Ms C  
Franklin, Mr B (teller)  
MacDonald, Mr S  
Mitchell, Ms S  
Shoebridge, Mr D

Amato, Mr L  
Clarke, Mr D  
Farlow, Mr S  
Gay, Mr D  
Maclaren-Jones, Ms N (teller)  
Pearson, Mr M  
Taylor, Ms B

Blair, Mr N  
Colless, Mr R  
Faruqi, Dr M  
Khan, Mr T  
Mallard, Mr S  
Phelps, Dr P

**NOES**

Borsak, Mr R  
Green, Mr P  
Moselmane, Mr S (teller)

Brown, Mr R  
Houssos, Ms C  
Nile, Reverend F

Donnelly, Mr G (teller)  
Mookhey, Mr D  
Primrose, Mr P

## NOES

Searle, Mr A  
Veitch, Mr M

Secord, Mr W

Sharpe, Ms P

## PAIRS

Gallacher, Mr M  
Mason-Cox, Mr M  
Pearce, Mr G

Cotsis, Ms S  
Voltz, Ms L  
Wong, Mr E

**Motion agreed to.**

**The Hon. DUNCAN GAY:** I move:

That this bill be now read a first time and printed.

**Question put.**

**The House divided.**

**The PRESIDENT:** Is leave granted to ring the bells for one minute?

**Leave not granted.**

Ayes .....20  
Noes .....13  
Majority.....7

## AYES

Ajaka, Mr J  
Buckingham, Mr J  
Cusack, Ms C  
Franklin, Mr B (teller)  
MacDonald, Mr S  
Mitchell, Ms S  
Shoebridge, Mr D

Amato, Mr L  
Clarke, Mr D  
Farlow, Mr S  
Gay, Mr D  
Maclaren-Jones, Ms N (teller)  
Pearson, Mr M  
Taylor, Ms B

Blair, Mr N  
Colless, Mr R  
Faruqi, Dr M  
Khan, Mr T  
Mallard, Mr S  
Phelps, Dr P

## NOES

Borsak, Mr R  
Green, Mr P  
Nile, Reverend F  
Secord, Mr W  
Voltz, Ms L

Brown, Mr R  
Mookhey, Mr D  
Primrose, Mr P  
Sharpe, Ms P

Donnelly, Mr G (teller)  
Moselmane, Mr S (teller)  
Searle, Mr A  
Veitch, Mr M

## PAIRS

Gallacher, Mr M  
Mason-Cox, Mr M  
Pearce, Mr G

Cotsis, Ms S  
Houssos, Ms C  
Wong, Mr E

**Motion agreed to.**

**The Hon. DUNCAN GAY:** I declare the bill to be an urgent bill.

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

**The House divided.**

**The PRESIDENT:** Is leave granted to ring the bells for one minute?

**Leave not granted.**

Ayes .....20  
 Noes .....12  
 Majority.....8

#### AYES

Ajaka, Mr J	Amato, Mr L	Blair, Mr N
Buckingham, Mr J	Clarke, Mr D	Colless, Mr R
Cusack, Ms C	Farlow, Mr S	Faruqi, Dr M
Franklin, Mr B (teller)	Gay, Mr D	Khan, Mr T
MacDonald, Mr S	Maclaren-Jones, Ms N (teller)	Mallard, Mr S
Mitchell, Ms S	Pearson, Mr M	Phelps, Dr P
Shoebridge, Mr D	Taylor, Ms B	

#### NOES

Borsak, Mr R	Brown, Mr R	Donnelly, Mr G (teller)
Green, Mr P	Moselmane, Mr S (teller)	Nile, Reverend F
Primrose, Mr P	Searle, Mr A	Secord, Mr W
Sharpe, Ms P	Veitch, Mr M	Voltz, Ms L

#### PAIRS

Gallacher, Mr M	Cotsis, Ms S
Mason-Cox, Mr M	Houssos, Ms C
Pearce, Mr G	Wong, Mr E

#### **Declaration of urgency agreed to.**

#### **Second Reading**

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (11:47):** I move:

That this bill be now read a second time.

Following the exposure of widespread live baiting practices and animal cruelty the New South Wales Government established a special commission of inquiry into the New South Wales greyhound racing industry to investigate animal welfare and integrity issues. The special commission, conducted by former High Court Justice Michael McHugh, has undertaken an extensive examination of the industry. A final report was handed to the Government by the special commissioner on 16 June 2016 making recommendations about the future of the greyhound racing industry in New South Wales.

The special commission heard about barbaric practices of live baiting, or bleeding as it is known. While live baiting is a horrendous practice in itself and the catalyst for the special commission of inquiry, the inquiry also heard of a significant number of dogs being killed because they were deemed uncompetitive as racing dogs, the underreporting of deaths and injuries of dogs at racetracks and deception by the controlling body to cover up the extent of deaths and injuries of dogs to avoid public criticism. The inquiry findings have far-reaching implications and the report's recommendations focused on two options: to no longer permit greyhound racing in New South Wales and to close the industry down or to allow the continuation of the industry but with extensive reforms to improve transparency and governance and reduce greyhound deaths.

However, Justice McHugh's findings concluded that there was a very real risk that practices such as live baiting would continue despite any further reform. In coming to that conclusion Justice McHugh examined in detail evidence from the industry itself and looked at many similar reports conducted last year in other States. Justice McHugh presented a forensic, detailed and balanced set of reasons for his conclusion—reasons that persuaded the Government.

When considering the findings of the report, the Government considered whether the industry could or should continue. What is clear is that, despite a number of reports, including a Legislative Council Select Committee on Greyhound Racing in New South Wales report, which directly identified wastage as an issue in 2014, we are dealing with an industry that ultimately relies heavily on the overbreeding of these animals—

significant "wastage"—and has been systematically hiding the truth from the community. We have also seen clear evidence of an industry where the problems run so deep and where there is an endemic culture of animal cruelty and deception at all levels. The incomplete records kept mean there is no accountable tracking of animals from birth throughout their entire life, or the records were being kept from public scrutiny, or, worse still, the true facts were covered up. How can the community trust such an industry to operate ethically and in keeping with community and animal welfare standards in future? How can the community trust an industry that has demonstrated over many years that it is not capable of recognising and fulfilling broader community standards for the prevention of animal cruelty?

While the industry had been working to clean up the sport and introduced reforms since the live-baiting scandal first came to light, it is a case of too little, too late. Justice McHugh clearly identified the changes made and the entrenched resistance from the industry to those changes. Fundamentally all of the incentives and motivators in greyhound racing will always lead to unacceptable animal welfare outcomes. This Government considers that the level of reforms necessary to make the industry accountable, transparent and ethically responsible would require such significant and generational change that it would render the industry unsustainable, even if the incentives that maximise profit over animal welfare could be overcome. Also, to continue, the industry would still see an unacceptable level of deaths of healthy greyhounds, which could not be tolerated. From either an economic or welfare perspective, it just does not add up.

The industry itself has said in its plan for viability that it can be sustainable only if it kills thousands of dogs a year. The industry has failed community expectations but, worst of all, the industry has failed these animals—especially the many thousands of greyhounds that have been horrifically injured or killed. Dumping greyhound bodies in pits after caving in their skulls is not acceptable. When confronted with the longstanding pattern of disturbing and cruel behaviour throughout the industry, the Government considered it was left with no choice. The barbaric, wasteful and cruel behaviour evidenced in the report should be repudiated by all. It is anathema to the very high standards of animal husbandry practised throughout New South Wales farming communities.

A lot has been said about this decision in the weeks since the Government's announcement, much of it concerning issues beyond the greyhound racing industry. Let me be clear what this decision is: It is a specific response to a specific issue in a specific industry that has been uncovered in a detailed report prepared by a special commission of inquiry led by an eminent former High Court judge. It is not a response to issues in our food and fibre industries or the other racing codes. In fact, it has no bearing whatsoever on our food and fibre industries, which are examples of world's best practice in their animal welfare standards. It has no bearing whatsoever on the other racing codes, which have a strong focus on animal welfare in all their activities. This bill deals specifically with an industry that has an appalling track record when it comes to animal welfare issues and has shown reluctance at best, if not outright recalcitrance, when it comes to improving its standards.

The suggestion that this bill represents a slippery slope simply does not hold water. The Government agrees with the special commission's findings that the industry had lost community support and the industry cannot be allowed to go on. This is why the Government made the incredibly hard decision—and it was a hard decision; easy decisions are easy, but this one was hard—announced on 7 July 2016 that it would seek to shut down the greyhound racing industry in New South Wales and ban greyhound racing from 1 July 2017. I appreciate this decision has caused stress and angst for many people. A transition plan is being developed and a transition task force has been established to plan an orderly shutdown of the industry. Dr John Keniry, AM, has been appointed as the coordinator-general to head the Greyhounds Transition Taskforce, which is consulting with the greyhound industry and animal welfare organisations. I am advised that Mr Keniry is actively consulting with the industry and is building a clear picture of the kinds of measures that will help people make the transition away from greyhound racing.

The task force will work with industry to ensure a suitable and appropriate range of assistance and support services are available for industry participants and other supply chain businesses affected by the shutdown. The bill before the House is the first step in helping to facilitate the shutdown and transition process. The alternative, if the industry were allowed to continue, would be the closure of most country tracks. While industry advocates claim to have KPMG modelling that shows a way forward with country racing continuing, it was KPMG modelling that suggested there should be only six to 11 tracks across the State—and it was far from the only group to model a reduction in tracks. Greyhound Racing NSW itself has advocated a reduction to eight to 14 tracks under a centres of excellence model. A joint working group dominated by industry participants suggested that centres of excellence should only host TAB racing—to bring New South Wales into line with Victoria, which has no non-TAB racing. Urbis modelled options for as few as four tracks to operate statewide and PwC financial analysis suggests that, financially, the industry can afford to upgrade only 12 tracks.

All of this points to the fact that, across most of the State, greyhound racing would come to an end regardless of the decision taken by the Government. What is different, and what makes the action we are taking better for regional communities and communities across the State, is that under the Government's plan to transition to closure of the industry there will be an assistance package to provide financial and other support to affected industry participants—unlike the alternative scenario, which would have had the same effect but no assistance package.

The bill implements the legislative component of the Government's announcement to shut down greyhound racing in New South Wales. The package provides for the appointment of a greyhound racing administrator to manage the close-down of the industry and the continuation of greyhound racing until the closure date. The administrator also will oversee the continued welfare of greyhounds affected by the greyhound racing industry closure, the dissolution of Greyhound Racing New South Wales [GRNSW] after the closure date, the repeal of the Greyhound Racing Act 2009 while continuing certain regulatory and compliance functions of the Act, new animal welfare offences and consequential amendments to other Acts.

I turn to the detail of the bill. The bill defines the greyhound racing closure date as 1 July 2017 and prohibits greyhound racing in New South Wales from that date. The Government already has confirmed that racing will be permitted to continue until 1 July 2017. The bill reflects that announcement. This will enable the industry to continue to operate for the immediate future and will allow participants to consider their options as an assistance package is rolled out later in the year. The bill authorises the Minister to appoint a greyhound racing administrator whose role is twofold: to wind up greyhound racing in New South Wales, including the affairs of Greyhound Racing New South Wales, and to manage the continued operation of greyhound racing in New South Wales until the closure date.

The administrator will have the powers and functions of Greyhound Racing New South Wales. Amendments in the bill will immediately remove the members of Greyhound Racing New South Wales and the position of the chief executive officer, allowing the administrator to manage the affairs of GRNSW until its dissolution. As the board and the chief executive officer were stood down in early 2015, after the disturbing live baiting scandal, Mr Paul Newson has acted as interim chief executive since February 2015. The Government thanks Mr Newson for his efforts and strong regulatory leadership over the past 18 months and for his cooperation and assistance during the special commission of inquiry.

During the transition to the closure date of 1 July 2017, one of the first key tasks for the greyhound racing administrator will be to develop a business plan. This plan will provide a road map for winding up greyhound racing in New South Wales and the affairs of Greyhound Racing New South Wales. The bill provides a framework for the Minister to approve the plan and any changes to the approved plan. The Minister will consult as necessary in determining whether to approve or modify the plan. The administrator is to make the plan publicly available, ensuring full transparency throughout the process. The administrator also may engage any person or body with relevant expertise to assist the administrator, including expertise to ensure that the regulatory and compliance functions of GRNSW continue as the industry is shut down.

From 1 July 2017 greyhound racing in New South Wales will be banned, with strict penalties applying. The bill makes it an offence for any person to conduct a greyhound race meeting or officiate at a greyhound race. The maximum penalty for committing an offence will be \$11,000 and/or a year imprisonment. It will also be an offence to provide betting services for greyhound racing that is conducted in New South Wales. Placing a bet in New South Wales on a greyhound race conducted in another jurisdiction will not be prohibited. From 1 July 2017, the closure date, any greyhound racecourse licence is terminated. Greyhound Racing New South Wales has advised that its registrations issued under the Greyhound Racing Act—such as for race clubs, trainers, breeders and bookmakers—are due to expire on 30 June 2017 and will not be renewed after that date.

The keeping of greyhounds for racing in New South Wales will be prohibited from 1 July 2017. This will not prohibit people from owning greyhounds as companion animals. Nor will it stop people from keeping greyhounds for the purpose of racing interstate. A regulation-making power will enable the keeping of greyhounds that race in other jurisdictions. How long people will be able to own greyhounds for racing interstate is open for consultation with industry by Dr Keniry, but the Government has discussed this at length in its party rooms and is keen to see a smooth transition on this important point to create the least amount of concern for owners and to ensure the welfare of the animals. Allowing a glide path on ownership will ensure that more dogs are humanely kept and are not discarded. Greyhounds kept in New South Wales for this purpose would still be bound by the rules of racing in other jurisdictions and would still be oversighted by our animal welfare legislation and compliance operations. Let us sit down with industry and do the work to make sure that we get it right.

Similarly, the cessation of training is also to be dealt with via regulation. As the industry is wound up in New South Wales, how long trainers can continue their business after the cessation of racing in this State is also open for consultation with Dr Keniry and his task force, who will provide further advice to government.

I acknowledge that this is an important issue for my Coalition parliamentary colleagues, and they have held preliminary discussions about it. There has been healthy discussion on how best to end greyhound training in New South Wales in such a way as to not only allow for the interests of the dogs but also assist the industry in transition as much as possible.

I have dealt with owning and training. I turn now to the breeding of greyhounds. Breeding is the part of the industry that unfortunately has contributed to the biggest proportion of healthy dogs being deemed surplus to requirements and meeting untimely deaths. The breeding of greyhounds in New South Wales for racing will be prohibited from a date to be proclaimed. Again, the date of an end to greyhound breeding is open to consultation with the industry, the RSPCA and the community. The Government is very reluctant to announce a snap end to breeding, as that would lead to more dogs being put down. It would also maximise the hardship felt by the industry—something this Government is keen to avoid. Allowing a staggered wind-up of the industry will provide the best possible chance for greyhounds to continue to live as pets with their owners following the cessation of racing or to be rehomed or appropriately transferred interstate to race there.

It is the Government's intention to determine an appropriate time frame, in conjunction with the development of an industry adjustment package and in consultation with industry, the RSPCA and government, to ensure that the welfare of greyhounds is protected and the pain caused to industry is minimised. The passage of this bill will see a definite end date to greyhound racing in New South Wales and a strong range of levers still available to government, industry and welfare agencies to work together to ensure that the transition causes the least amount of damage to the dogs and to employment in greyhound racing communities. Owning, breeding, training, and industry and community assistance are all still on the table to be discussed and agreed to over the coming months.

I turn now to the welfare of the greyhounds themselves. The welfare of greyhounds is a significant consideration for government, particularly during the immediate future as the industry is shut down. The Government already has taken swift action by recently introducing regulations requiring Greyhound Racing NSW to be notified when a greyhound is transferred or its consent obtained in certain other cases. This action was taken to ensure greyhounds are treated humanely and are not inappropriately sent to jurisdictions that do not have similar welfare standards or are unnecessarily or inhumanely destroyed. Those provisions in the Greyhound Racing Regulation have been carried forward into this package and will continue to apply.

The Government is working closely with the RSPCA and others to ensure the welfare of greyhounds as the industry is shut down. It is our strong preference that greyhounds can remain with their current owners or alternatively be rehomed through an adoption program or transferred to another jurisdiction with appropriate animal welfare standards. Registered greyhound owners must notify Greyhound Racing NSW before retiring a greyhound from racing or before transferring the greyhound to a greyhound adoption program.

It will be an offence when a greyhound racing owner does not obtain the express consent of Greyhound Racing NSW before retiring a greyhound from racing, transferring a greyhound to a person not registered under the racing rules or the law of another Australian jurisdiction, or destroying a greyhound unless done so by a vet in an emergency situation due to injury or illness. Greyhound Racing NSW may give consent only in these cases if it is satisfied the greyhound will be appropriately cared for or humanely destroyed.

The bill will repeal the Greyhound Racing Act on a future date when the industry is wound down. Importantly, the bill will continue the regulatory and disciplinary functions of the Act ensuring any matter that comes to light in future may be fully dealt with using the full force of the law. In the meantime, the Greyhound Racing Administrator will have the same powers as Greyhound Racing NSW and engage anyone necessary to help ensure the industry operates within the framework of the laws and rules of racing until its closure. The bill also provides regulation-making powers including the provision for penalty notices for offences under these new laws which police and others such as council rangers may issue. Penalty notice offences will include the unlawful keeping or breeding of greyhounds or providing false and misleading information on the transfer of a greyhound.

The Government will be working hard to ensure that all dogs are treated humanely and accounted for during this transition process and the industry continues to operate within the laws and rules of racing. Disciplinary action is continuing to be taken for those who choose not to operate under the animal welfare and racing laws. Investigations by Greyhound Racing NSW, the RSPCA NSW and the NSW Police Force into live baiting and other practices already have occurred and are also continuing. Greyhound Racing NSW is also taking action to ensure integrity and welfare standards are maintained.

In the meantime, the Government is working closely with the transition task force and industry as an adjustment package is developed, which will be announced later this year. The Government recognises the need for an orderly transition, and the task force is working hard to ensure it does not create a situation where a participant considers the only option is to euthanise their dogs. If people have not done so already, I urge them to

read the special commission's report. They will then appreciate why this Government is making this difficult choice to shut down the greyhound racing industry in New South Wales and protect these innocent animals from unnecessary and horrific injuries and death. I commend the bill to the House.

**The Hon. PETER PRIMROSE (12:15):** I thank the Minister for Roads, Maritime and Freight for outlining the details of the Greyhound Racing Prohibition Bill 2016 in his second reading speech because none of us has seen those details. One copy of the bill was made available to the Opposition at 10.50 a.m. today. We have not had the opportunity to read the bill, let alone to consult or to seek advice from Parliamentary Counsel in relation to possible amendments. Even worse, today the Minister has come in at the directions of Premier Mike Baird and Deputy Premier Troy Grant and said this is an urgent bill. They did not even choose to make it available to Opposition members last evening when notice of the bill was given so the Opposition could at least have had the opportunity to review it.

This is a House of review. Our job is to review legislation. That is why we are different to the lower House: that is our task. The Minister for Roads, Maritime and Freight moved that this bill is urgent, but did not provide the Opposition with a copy of it. In his second reading speech the Minister talked about consultation and working with an orderly transition, but there is little wonder people in the community are concerned. The Minister used those weasel words in this place in his second reading speech, yet the due process accorded to this Parliament under its standing orders has been totally abused by the way the Minister has introduced this legislation. The standing orders have been totally trashed by The Nationals and Liberals. How can we possibly be expected to go through this bill in any detail when we have not even been allowed to see a copy of it? As I listened to the Minister's speech two points came to my notice in the photocopy of the bill the Opposition received at 10.50 a.m. First, clause 25 (2) states:

- (2) Any assets, rights or liabilities of Greyhound Racing NSW become, on its dissolution, the assets, rights and liabilities of the Crown.

The Crown takes not only the liabilities but also the assets. Part 7, clause 29 states:

**29 Compensation not payable by or on behalf of the State**

- (1) Compensation is not payable by or on behalf of the State:
- (a) because of the enactment or operation of this Act, or for any consequence of that enactment or operation, or
  - (b) because of any statement or conduct relating to the enactment or operation of this Act, or
  - (c) because of the exercise by the Minister or Administrator (or a person acting under the direction of the Minister or Administrator) of any function under this Act or the *Greyhound Racing Act 2009* (including any failure or delay in exercising a function).
- (2) This section extends to statements, conduct and other matters occurring before the commencement of this section. This retrospective provision has been put into this bill. This is the same orderly transition that Stalin would have been proud of in relation to the kulaks, the appropriation of property and orderly transition. It is so orderly the Government could not even give the Opposition or the crossbench a copy of the bill before we debated it today. Let us go to the first recommendation of the special commission of inquiry. It says that, given the findings of the Commission concerning the management and governance of the greyhound racing industry, the Parliament of New South Wales "should consider whether the industry has lost its social licence and if it should be banned within the state."

There has been a lot of criticism about the details in the special commission's report, and even more about the validity of the concept of a social licence, but when the commissioner made that recommendation I strongly doubt he would have considered the tainted charade by the Government today to be proper. I doubt he would have considered it to be due process that would allow for the proper consideration at the core of his first recommendation. This esteemed judge made this recommendation so that we could have an orderly discussion, yet we have a charade in which Premier Baird and Deputy Premier Grant have made their minions say that this bill is urgent and they will not even allow the Opposition to see a copy of it. I suggest that is in direct contradiction to Recommendation 1. If anything has lost its social licence, it is the Baird Government by its brazen and arrogant disregard for the people of New South Wales and this Parliament and its process.

NSW Labor stands for two things: cleaning up the industry and keeping it alive for the vast majority of participants who have only ever done the right thing. Nobody condones animal cruelty. The vile practices of a few in the greyhound racing industry are sickening. The crooks should face life bans from the sport and time in prison. I repeat: The vile practices of a few in the greyhound racing industry make all of us sick to the stomach. Those responsible should be hit with life bans from the sport and should serve time in prison. Premier Mike Baird's social media guru announced New South Wales Government policy on Facebook without any consultation with the thousands of people who rely on the greyhound industry for their livelihoods.

Former High Court judge, Justice Michael McHugh, has provided 79 recommendations to drastically restructure the industry, which is a road map to improve animal welfare. It is the way forward and it should be implemented. At the very least, it should be considered. Greyhound racing provides employment to thousands of our State's citizens and enjoyment to many tens of thousands. A cleaned up, reformed industry can continue to do that. Mr Baird and Mr Grant are criminalising the livelihood and hobby of thousands of New South Wales residents. They are not glamorous jobs but they provide honest livings for trainers, suppliers, part-time bar workers and showground employees. Those people are largely battlers who just want to make a living, feed their families and pay the bills. They do not deserve to be punished for the actions of a minority who do the wrong thing.

People in just about every town across the State generate some or all of their family income from an interest in greyhounds. As I said, they are not glamorous jobs; they provide an honest living. Rather than putting the sport on notice and implementing the road map of recommendations put forward by Justice McHugh, Mr Baird and Mr Grant have chosen to wipe out the industry. They want to crush the thousands of working people across the State who have invested their livelihoods in racing greyhounds. The greyhound industry should be given the chance to reform. It deserves a fair go instead of being destroyed in a political ambush by Mike Baird. Labor says we should give reform a try. If it fails then the industry should be shut down, but it has to be first given the chance that it has not been given by Premier Mike Baird or Deputy Premier Troy Grant.

In no other area of society or the economy do we engage in collective punishment. We do not punish all of the good people for the sins of the few. It is an overreach by this Government to outlaw an entire sport and industry that employs thousands of people because of the sins of a few wrongdoers. Labor will continue to represent good people in this industry who support stronger animal welfare and a dramatic restructure to ensure only the highest standards.

If Mr Baird were serious about animal welfare he would, for example, ban the sale of puppies in pet store shopfronts. If he cared more about puppy farms than politics, the breeding factories would have been outlawed yesterday. Labor has proposed an animal welfare plan that would dramatically strengthen the welfare of domestic, agricultural and native animals across the State. The plan includes banning puppy factories and the sale of puppies from those horrible glass boxes in retail pet stores. Mr Baird's actions will serve only to fast-track the slaughter of 10,000 dogs bred to race. When does fast-tracking the euthanasia of thousands of dogs constitute a plan for animal welfare? A sceptic might look at those parcels of land currently being used for racing and wonder what they might fetch from property developers for Mr Baird's coffers. I refer again to the Crown gaining those assets, which appears in bill.

It is worthwhile looking at where most of the greyhound tracks are located in New South Wales. I will go through them in alphabetical order. The Broken Hill, Coonabarabran and Coonamble greyhound racing tracks are in the electorate of Barwon, a seat held by The Nationals. The Bathurst and Lithgow greyhound racing tracks are in the electorate of Bathurst, also a seat held by The Nationals. The Casino and Grafton greyhound racing tracks are in the electorate of Clarence and the Cowra track is in the electorate of Cootamundra. Both of those seats are held by The Nationals. The Dubbo and Mudgee greyhound racing tracks are in the electorate of Dubbo and the Lismore track is in the electorate of Lismore. Again both of those seats are held by The Nationals.

The Taree greyhound racing track is in The Nationals electorate of Myall Lakes and the Armidale and Moree tracks are in that party's electorate of Northern Tablelands. The Forbes and Orange greyhound racing tracks were in The Nationals electorate of Orange but we will see what happens at the by-election. The Kempsey greyhound racing track is The Nationals electorate of Oxley and the Gunnedah and Tamworth tracks are in its electorate of Tamworth. The Border Park greyhound racing track is in The Nationals electorate of Tweed. Finally, the Muswellbrook and Singleton greyhound racing tracks are in The Nationals electorate of Upper Hunter.

The failure yet again of The Nationals to stand up for regional communities is disappointing but—as always in this and the other place—it is predictable. They have failed their communities yet again and have shown that they act as gutless rubber stamps to Premier Baird's Sydney-centric decisions. It is worthwhile putting on record that a situation similar to this most recently occurred during the forced council mergers, which is an ongoing issue. Members of The Nationals proudly boasted on regional radio and in local papers that they would stand up for their communities. Again they were roosters in their own areas but they immediately turned into feather dusters when they came here and voted with the Government to wipe out their councils. So much for having a country voice in The Nationals. Let us look of what some of those roosters who turn to feather dusters in Parliament are saying in their communities. On 11 July the *Sydney Morning Herald* reported about the member for Clarence, Chris Gulaptis:

Mr Gulaptis said industry figures he has spoken to are after procedural fairness.

'They feel the industry has undertaken significant reform in the past 16 months since the Four Corners report,' he said.

'They've spent tens of thousands of dollars getting their kennels and facilities up to speed only to be told in the midst of going through this reform that the industry's going to be closed down.'

The member for Cootamundra, Katrina Hodgkinson, said in the *Guardian* on 8 July:

There has to be a different way forward rather than just shutting the entire industry. The cabinet made the decision without consulting other MPs and the reason for this—as explained to me—was due to 'market sensitivity' in relation to the announcement (which I interpreted as affecting the TAB share price). The decision has yet to go through the party rooms process, and obviously still yet to go before the parliament.

It will be interesting to see what Ms Katrina Hodgkinson does in the other place; she was referring there to issues extraneous to the industry per se—namely, the TAB share price. On 7 July it was reported on ABC Radio that the member for Barwon, Mr Kevin Humphries, was also stunned. In that interview he said:

To put a blanket closure on the industry I think is an overreaction and I certainly would like the opportunity as a local member with a number of clubs in my area, to be able to debate the issue and respond with some of my colleagues.

Brendan Trembath then said:

Are you disappointed in the deputy premier, your party leader, Troy Grant?

Kevin Humphries replied:

Look, I haven't spoken with the deputy premier about it, in fact, I haven't spoken to anyone about it today given the short notice of it. I'm not sure the reasons why he's taken that position but I'm certainly disappointed that it has not gone to the party room so that everyone can respond to it.

Good luck, Kevin. The Opposition did not see a copy of the legislation before the debate in this Parliament. An article in the *Australian* of 8 July 2016 reported:

Kevin Humphries, representing the sprawling electorate of Barwon, which stretches to the Queensland and South Australian borders, said he would not support the shutdown of the industry.

'We haven't had a briefing, it didn't come to our party ... this has been a unilateral decision that needs revisiting,' Mr Humphries told the *Australian*.

This is a big ticket for a lot of people in middle Australia who enjoy racing, as is the whole narrative of breeding; for many of them that's intergenerational.

It's not up there with the elite thoroughbreds, but I can tell you that if there is a blanket shutdown of greyhound then all racing should be concerned.

It is too simple a response, it needs to be more sophisticated than that.

In the *Newcastle Herald* of 12 July 2016 it was reported:

Member for Upper Hunter Michael Johnsen has joined an internal revolt within the National Party over the State Government's plan to ban greyhound racing in New South Wales.

The breakaway has been led by the member for Cootamundra, Katrina Hodgkinson, and other regional MPs fearing job losses in their electorates.

Mr Johnsen admitted an overhaul of industry regulator—Greyhound Racing NSW—was necessary, but said he was not behind a shutdown.

'I would personally support a reconstituted regulative body with tighter restrictions and more oversight in the greyhound industry', Mr Johnson said.

I am obliged to also note that the report into the industry sadly provides overwhelming evidence that the industry itself has been way too slow in acting upon those unscrupulous members of the industry, and whose actions have brought about this proposed ban.

During an interview on Radio 2GB on 13 July 2016, Deputy Prime Minister Barnaby Joyce stated:

If you ban things, I think you've got to be careful. You start hurting people you didn't expect to hurt.

It's best to try and work with industry and get them to sort out their problems and that's going to cause me grief saying that because people will say, 'Well, you're talking against your colleagues'.

I haven't read the report and to be quite frank, I don't intend to read the report but what I do know is a lot of people who breed greyhounds and they seem like decent people.

You've always got to try and regulate it, monitor it and make sure people are doing the right thing ... jump on them from a great height if they're not.

There's a lot of people who just can't afford to be in the racehorse industry, it's very expensive, but they can afford to own a dish licker and that gives them an opportunity to be at the track.

It's not the top end of town at the greyhound track, it's the bottom and you've got to be a little bit careful in jumping into a section of their lives.

In the *Land* of 7 July 2016 Mr Michael McCormack, the Federal Nationals member for Riverina, expressed concern about the loss of economic activity and the employment and social benefits of country greyhound

racetracks in areas of his electorate such as Temora, and the interests of the majority of greyhound trainers who "treat their animals like members of their family." He said that the Government should have conducted proper community and stakeholder consultation before making its shock decision. He went on to state:

'Decisions made in haste are not good decisions,' he said.

This decision is far too hasty and will send a shiver down the spine of anyone involved in the beef industry or growing and producing cattle for the live exports market.

Which industry will they target next?

Where does it start and where does it stop?

Will they investigate the trots or shut down thoroughbred racing?

Little by little the minorities are winning and soon we'll be left with [nothing] ...

He then went on to explain his comments in much greater detail. I refer next to a member well known to this House, Ms Melinda Pavey, the member for Oxley. It was reported in the *Port Macquarie News* of 7 July 2016 that:

Oxley MP Melinda Pavey says she is as shocked as the rest of the local greyhound industry by the ban.

'I was aware that the report from Justice McHugh had some difficult findings, but I didn't expect a ban. I know from responsible greyhound owners in my electorate who go to Wauchope and Kempsey meetings that only a tiny minority from outside have caused utter devastation to an industry and a sport that good people have a love for.'

She said further:

Really good people are being punished by the actions of a greedy minority. Why haven't Greyhound Racing NSW done more in weeding out these ... people? The Premier has reacted in a highly emotional way to those greyhound deaths. Some people in the industry are questioning the figures.

Where does it end? Is the horse racing industry next?

No matter what industry you're in, there are always going to be a few bad eggs. Now we are shutting the door on everybody.

I think the findings of the report are damning for some sections, but there is another way forward. Give the industry another opportunity to come through this.

If this bill is debated in the other place, I will be watching to see if she is a rooster or a feather duster. An article in the *Daily Telegraph* of 20 July 2016 reported that:

Senior Liberal MP Pru Goward warned Cabinet about the greyhound ban and is said to have told fellow ministers of Premier Mike Baird's plan to nobble the industry: 'This is not us. Fundamentally, this is not what we do.'

Senior government sources have told of Ms Goward's comments, an apparent reference to what it means to be a Liberal, and of a concerned Cabinet when the decision was made a fortnight ago.

We know what it means to be a Liberal; I would have thought that being a National was something different. Clearly it is not. Comments, such as those I have quoted from representatives of The Nationals and a scattering of Liberals, are endless throughout New South Wales. I am conscious of the time, but the message is clear: they are roosters in their local communities expressing concern but feather dusters in here. Like other members in this place, I have received letters from many different constituents. I will read onto the record an email I received, but will delete references to any individual's name. The email, which is titled "My family and the greyhound racing ban", states:

Dear Mr Primrose,

I write to you on this occasion in relation to the Baird Government's proposal to introduce legislation that will ban greyhound racing in New South Wales. I ask you to consider my correspondence when deciding whether you will support or oppose the passage of any such legislation. My opinion and bias is well set out below ...

My father's father died suddenly of a heart attack aged 37. He left behind a young widow, working shifts behind the bar and in the kitchen at Forbes RSL club to pay her Housing Commission rent and support three young children. Times were tough when my father left school, aged 14, with limited literacy, to start work.

He got a job at the bakery in Forbes, but would soon be sacked because at a jockey's weight and height, he couldn't reach the top tray of bread. He ventured to Sydney to try his hand as an apprentice jockey, something he was good at. He lasted a whole three weeks at the Rosehill stables ... —and only because he had to give one week's notice—Rosehill being much too far away from Forbes and therefore his Mother.

He'd then worked again at the bakery (following a growth spurt) and over time as a painter, a taxi driver, an abattoir worker and a hospital clerk, or wards man as they were then known.

The greyhounds have been a constant in our family's lives.

In the early 1990s, my parents purchased a large block of land near Forbes. They had sold their flood threatened weatherboard house—complete with makeshift racing kennels and pup yards—for a very tidy profit, their Allan Bond moment. My father resigned from his job and intended to make a living off the dogs.

My grandmother had warned my mother (her daughter-in-law) against the venture. She was a frugal, financially unsophisticated, sensible woman. She'd worked to retirement, purchased her Housing Commission home (as you then could) and until her death would still lay-by items she could more than comfortably afford. She was always offering financial advice and warned my parents to save for a "rainy day"—"you never know what's ahead", she would commonly preach.

Due more in part to hard work than good luck (Dad taught me that the latter will often follow the former), my parents made a very good living—Mum eventually semi-retiring from her profession and Dad taking on fewer dogs for others—concentrating instead on his own greyhounds.

Dad gleefully overcapitalised as debts dwindled and profits soared. I distinctly remember my parents being excited following a big win at the Coonamble Greyhound Carnival, as they could now afford to install ducted air conditioning.

Over the years the greyhounds took care of most things—new cars, overseas school excursions, an in-ground pool, motorbikes, university textbooks & accommodation, spoiled grandchildren and every accessory or piece of equipment for greyhounds that would open and shut.

Never however would money be spent on holidays. It's not possible to leave your greyhounds—not more than one night—and only if that one night involves being interstate to race greyhounds. My father missed school assemblies, soccer games and even my admission to the Supreme Court of NSW as a lawyer because it was in February and it would be too hot to leave the dogs in anyone else's care.

We did go on a family holiday to Rooty Hill RSL & Resort once ... but only because we had won the travel package as part of the win at Coonamble.

Today, the kennelled greyhounds at my parents' home have ducted air-conditioning in summer and a wood fire in winter. Their kennels are cleaned every day. They are fed only beef and premium kibble. The racing dogs' meals are accompanied by a side of cooked vegetables—kale, carrot, celery etc—and a raw egg topping.

The dogs' injuries are treated by hydro-bath, laser and ultrasound equipment, pool swims and veterinary consultations.

Just as our family had wanted for nothing due to their success, the dogs too would benefit.

There often comes a time when you worry about your parents as much as they worry about you. I noticed a couple of years ago that I started requesting a text message confirmation that they had returned home safely from the races late at night—it is not unusual after all for Dad to make a return trip to Wentworth Park from Forbes (375km/4.5 hours) to race without an overnight stay, often arriving back home not long before dawn.

When the Premier made his announcement on 7 July 2016, a small part of me thought that at least now Dad would be forced to retire and he might spend some money on a holiday after all. Or play some golf, enjoy more time with his grandchildren. I wouldn't have to worry about him spending hours on the road late at night.

Whilst I've written this letter and reflected upon Dad's involvement with greyhounds, I've often felt like I'm writing his eulogy. The reason for that must be because greyhounds have been an essential and interwoven part of just about his whole life.

I don't know my father without greyhounds. He cannot know himself without greyhounds.

This is not about money. My parents took my nan's advice and saved for a rainy day. Financially, they'll comfortably survive without greyhound racing.

But what for their emotional well being, their mental health and their identity.

Industries, corporations, trades, political parties nor religious groups are not shut down due to the impropriety of a minimal amount of their members. The greyhound racing industry should be no different.

When you consider how you will vote in relation to this legislation, I kindly request you give consideration to the lives and lifestyles of those who have done the right thing—those who love their dogs.

Give consideration to the young uneducated man whose father dies, and who was probably guided towards a clean-living, law-abiding lifestyle due to the saviour of greyhound racing.

Yours sincerely,

Melissa

I read that out in great detail simply to stress again the fact that, as so many hundreds of other emails we received attest, there are good people in this industry. Collective punishment should not be imposed. Labor opposes how this bill came before the House, the killing off of the whole industry, and this bill. I stress again that the Opposition has not seen the details of the bill. I am giving a second reading speech, wanting to talk about this bill in detail, and perhaps wanting to seek amendments should the House choose to give the bill a second reading. I cannot do that because Mike Baird and Troy Grant have not given me the opportunity to do so.

I want the opportunity to examine the detail of this bill. If, as the Minister said in his second reading speech, we are talking seriously about an orderly transition, I should have the opportunity, as should all other members, to read the bill closely and to think about it, particularly given that this is a House of review. The Government should give me at least a day to read a piece of important legislation that will affect thousands of people before I am expected to vote on it, let alone draft any amendments. I have not had an opportunity to consult nor to read the bill. In the light of the Government's refusal to make the bill available for proper scrutiny prior to the commencement of debate this morning, I move:

That this debate be now adjourned until the next sitting day.

**DEPUTY PRESIDENT (The Hon. Trevor Khan):** The question is that debate on this bill be adjourned until the next sitting day.

**The House divided.**

Ayes ..... 13  
 Noes ..... 20  
 Majority..... 7

**AYES**

Borsak, Mr R  
 Donnelly, Mr G (teller)  
 Nile, Reverend F  
 Secord, Mr W  
 Voltz, Ms L

Brown, Mr R  
 Green, Mr P  
 Primrose, Mr P  
 Sharpe, Ms P

Cotsis, Ms S  
 Moselmane, Mr S (teller)  
 Searle, Mr A  
 Veitch, Mr M

**NOES**

Ajaka, Mr J  
 Buckingham, Mr J  
 Cusack, Ms C  
 Franklin, Mr B (teller)  
 MacDonald, Mr S  
 Mitchell, Ms S  
 Shoebridge, Mr D

Amato, Mr L  
 Clarke, Mr D  
 Farlow, Mr S  
 Gay, Mr D  
 Maclaren-Jones, Ms N (teller)  
 Pearson, Mr M  
 Taylor, Ms B

Blair, Mr N  
 Colless, Mr R  
 Faruqi, Dr M  
 Khan, Mr T  
 Mallard, Mr S  
 Phelps, Dr P

**PAIRS**

Houssos, Ms C  
 Mookhey, Mr D  
 Wong, Mr E

Gallacher, Mr M  
 Mason-Cox, Mr M  
 Pearce, Mr G

**Motion for adjournment of debate negatived.**

**The PRESIDENT:** I will now leave the chair until 2.30 p.m.

**The PRESIDENT:** Pursuant to sessional orders, business is now interrupted for questions.

*Questions Without Notice*

**PORT OF NEWCASTLE PRIVATISATION**

**The Hon. ADAM SEARLE (14:30):** My question without notice is directed to the Minister for Roads, Maritime and Freight. Following the release of the confidential Newcastle port commitment documents revealing the details of caps and penalties applying to container movements, will the Minister now admit that his Government's port privatisation will restrict Newcastle's economic development for the next 100 years?

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (14:30):** Will I admit that the Government's port privatisation will restrict Newcastle's economic development for the next 100 years? No, absolutely not—never ever. We have done more for Newcastle than has any other Government in the last several decades. Gone is the day when the Labor Party got the votes out of Newcastle but left it to become a rust belt. We are working to encourage and fix up Newcastle. As the Government has consistently said, the leasing terms of Botany and Port Kembla do not prohibit the development of a container terminal at the Port of Newcastle. In fact, there is ample opportunity for increased container trade at the port.

This is the important thing that the Labor Party does not understand. The port transaction deeds do not trigger any cross-payments until a threshold container throughput is reached. That threshold is based on 30,000 containers each year, plus an extra 6 per cent growth in volume each year—and that 6 per cent compounds. Based on current growth rates, it is highly unlikely current container trade in Newcastle will reach the applicable threshold before such time as Newcastle is required to establish high-intensity container terminals to meet the forecast population and business needs of the Hunter.

Yearly trade at Newcastle is currently at a steady 9,000 containers. In other words, it would take a massive 230 per cent increase in container trade volume just to reach the 30,000, twenty foot equivalent unit [TEU] threshold. That is where it is now. It is at 9,000 and it can go to 30,000. That is a 230 per cent increase to get to that threshold—and that still does not take into account the compounding 6 per cent growth allowed for each year. Labor Party members have had their Cuisenaire rods out, but they have not been adding up properly.

**The Hon. Greg Donnelly:** What rods?

**The Hon. DUNCAN GAY:** Cuisenaire rods. It is what our grandfathers would have used to do arithmetic in days gone by. Applying the formula to the outer years gives the result that by 2030 the threshold at Newcastle will be approximately 80,000 boxes, by 2040 it will be 144,000 boxes, and by 2050 it will be almost 260,000 boxes. The Port of Newcastle will continue to be the primary coal export facility for New South Wales and will continue to diversify into bulk grain and other commodities, including fuel. The New South Wales Government engaged closely with the Australian Competition and Consumer Commission and other regulatory bodies as part of these transactions. Port Botany remains the key container facility for New South Wales for a range of logistical and commercial reasons. [*Time expired.*]

**The Hon. ADAM SEARLE (14:34):** I ask a supplementary question. Given his answer, will the Minister elucidate on why the port commitment documents have a container terminal cap in the first place?

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (14:34):** I really appreciate that supplementary question—it is good to work together—because I had not reached the key part of my answer. About 85 per cent of the imported containers landing at Port Botany are distributed within 40 or 50 kilometres of the terminal gates, to warehouses, distribution centres and freight hubs in western and south-western Sydney. This is key. We are not running a cargo cult in New South Wales. If the stuff is intended to go into Sydney, it should come to Sydney. We are not going to pay people to clog up the M1 and the rail infrastructure between Newcastle and Sydney. We are not going to pay them, as some sort of inverse cargo cult, to send things up to Newcastle just for them to come back again.

That is something the Labor Party did. People will remember when it decided that shipments of cars would go to Port Kembla rather than Sydney. I was the shadow Minister at the time and, as a diligent shadow Minister, I found that there was a parking lot on Glebe Island. Those black BMWs that were shipped down to Port Kembla were then put on a truck and brought back to Sydney, because that is where they were going to be sold—to those rich Labor supporters in the eastern suburbs. That was the wrong thing to do.

What we need to do is develop Newcastle, and there is huge scope for development in niche areas, so that it can provide for the Hunter region. It is a great port and it will be even better—and it will become even better because we are making sensible, grown-up decisions in this State. We are not running cargo cults as the Labor Party did.

#### CLEARWAYS PROGRAM

**Mr SCOT MacDONALD (14:37):** My question is addressed to the Minister for Roads, Maritime and Freight. Will the Minister update the House on the progress of the New South Wales Government's Clearways Program?

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (14:37):** As many members may well know, the New South Wales Government has a \$121 million Clearways Program underway to help relieve congestion. A few weeks ago, we reached a pretty important milestone in that program. We have now installed more than 100 kilometres of new and extended clearways across some of Sydney's busiest road corridors. That is quite an achievement. It is about the same distance as from Sydney to Wollongong. That 100 kilometres includes the recently installed 22 kilometres of new weekend clearways along the Great Western Highway-Church Street-Parramatta Road corridor between Parramatta and North Strathfield. These latest changes mean there are now 30 kilometres of clearway on the Parramatta Road corridor—in both directions—between Parramatta and Ashfield on weekends and weekdays.

Understand this: If we do not have those clearways, we do not have that lane for potential traffic. That means installing those clearways is akin to building 100 kilometres of road—but without digging up any of the utilities and without all those extra costs. It has taken a government with common sense to do it. It was sitting there waiting for the Labor Party to do it, but—once again—it never made any decisions. Labor always takes the easy way and it always plays politics.

We made the hard decisions. We talked to the businesses along those roads that were potentially affected. Before we put in any clearways we talked to the businesses to make sure that we put more than the existing number of parking spaces off road in that area. It is a win-win for the businesses because people can get around. It is

fantastic that the project has meant we have not had to take someone's business or house. We had to take a number of houses in other projects because the Labor Party sold the roads. We are trying each time to come up with better ways to ensure that that does not happen.

Since this program started in late 2013 we have put in place 25 new or extended clearways. That is 25 routes where motorists are spending less time stuck in traffic. Victoria Road and the Princess Highway are two of the notorious routes delivering savings in travel time thanks to this fabulous program. Members will remember the days when they would drive across Tom Uglys Bridge and there it was: that pinch point at the fish and chip shop. That is gone. Traffic flows through there. That is the sort of thing that the Government is doing to help the people in the south.

**The Hon. Walt Secord:** You remember it because it is still there.

**The Hon. DUNCAN GAY:** It is not there. The Hon. Walt Secord has hardly left Stanmore in 20 years. Shame on him. The only time he ever leaves Stanmore is to go to a resort on the North Coast of New South Wales. We have checked his travel record. He has never been to Western Sydney. He has never been to western New South Wales. He goes only to the tourist resorts of the North Coast, yet he comments on something that he has not seen. This is a great program. It is a sensible program and it is delivering outstanding results.

#### ONE NATION MEMBERS' COMMENTS

**The Hon. WALT SECORD (14:41):** My question without notice is directed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. Given the election of One Nation senators, including Cessnock-based Brian Burston and Queenslander Pauline Hanson, who said Hurstville in Sydney's south was "swamped by Asians", will the Minister now condemn political figures who say "she has a right to make the comments she does"?

[*Interruption*]

**The PRESIDENT:** Order! Stop the clock. While I do not want to interrupt the entertaining exchange between the Hon. Sophie Cotsis and Mr Jeremy Buckingham, I suspect the rest of the House would like to continue with question time. If the members wish to continue their conversation, I suggest they do so outside. The Minister has the call.

**The Hon. JOHN AJAKA (Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism) (14:42):** I thank the honourable member for his question. I do not think there is much, if anything, on which I would agree with Senator-elect Pauline Hanson and her team. Clearly we are on different sides of the debate. There is no doubt about that. My remit as the Minister for Multiculturalism is to oversee the strategy to ensure that we maintain harmony in our community. When I use the term "our community" I mean the people of New South Wales as one community. That is what I do and that is what my agency, Multicultural NSW, does. We take appropriate action to ensure that we maintain our harmonious way of life.

I have said this on many occasions: I am proud of the fact that we come from 225 different birthplaces, we speak 200 languages and we practise 125 different religious beliefs here in New South Wales. The world recognises that we live in the most harmonious way as one community. Every member in this House encourages that. Every member in this House is proud of the fact that we are a multicultural community. One need only look at the members in this House to see that we are a multicultural community. Our members come from different communities.

**The Hon. Shaoquett Moselmane:** Point of order: My point of order goes to relevance. The question is clear. Will the Minister condemn people who say that Pauline Hanson has a right to make the comments that she does? That is the crux of the question.

**The PRESIDENT:** Order! The Minister is in order. The Minister has the call.

**The Hon. Walt Secord:** Just condemn them.

**The PRESIDENT:** Order! I call the Hon. Walt Secord to order for the first time.

**The Hon. JOHN AJAKA:** There is little, if anything, that Pauline Hanson says that I would ever agree with. I do not know how much clearer I can be. As far as I am concerned, I will continue to work as the Minister for Multiculturalism to ensure that harmony is maintained in this State. I strongly recommend that members opposite do the same and stop trying to create disharmony in New South Wales.

#### BYLONG COAL PROJECT

**Mr JEREMY BUCKINGHAM (14:46):** My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water, representing the Minister for Industry, Resources and

Energy. The decision yesterday to let the Korea Electric Power Corporation [KEPCO] and WorleyParsons avoid an admission of guilt by ceasing prosecution and signing an enforceable undertaking has been reported as letting these companies off the hook. Has the Government implemented a new policy of preferring mediated outcomes over criminal prosecution for breaches of the Mining Act?

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (14:46):** I thank the member for his question, which is directed to my colleague in the other place. I am advised that the Korea Electric Power Corporation [KEPCO] acquired Authorisation 342 in December 2010, along with Authorisation 287, for the purpose of exploring for coal, and has been carrying out exploration activities for a potential mining proposal called the Bylong Coal Project. In August 2014 KEPCO commissioned WorleyParsons to manage the exploration activities, mine feasibility study planning, environmental approvals and ongoing environmental monitoring of the Bylong Coal Project. In June 2015 the Division of Resources and Energy received a complaint from a landholder in the Bylong Valley regarding Authorisation 342, held by KEPCO. The complaint related to photos provided in an application made under the Mining Act 1992 that were alleged to be false and misleading under section 387C of that Act.

On 19 January 2016 the regulator approved the commencement of prosecution proceedings against WorleyParsons and KEPCO for the alleged contravention. On 11 March 2016 court attendance notices were filed in the Local Court of New South Wales. Both companies subsequently submitted enforceable undertaking proposals to the department for consideration. After careful consideration, the regulator accepted both undertakings as they provide significantly better compliance outcomes than prosecution alone. The undertakings address the behaviour that led to the alleged contravention and provide tangible benefits to the community and industry. The undertakings require both companies to pay the department's investigation and legal costs of more than \$94,000; enhance their compliance, audit and training programs; and provide additional education and support on regulatory obligations.

In addition, WorleyParsons is required to undertake a review of previous work submitted to the department to ensure compliance with the Mining Act. The undertakings will be strictly monitored, with both companies paying for the cost of that monitoring. Severe penalties of up to \$1.1 million apply if they do not comply. These cases serve as a timely reminder to mining authorisation holders and their agents that they must have systems in place to ensure the accuracy of information provided to the department.

#### COMMUNITY HARMONY

**The Hon. LOU AMATO (14:49):** My question is addressed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. Will the Minister update the House on ways the Government is safeguarding our community?

**The Hon. JOHN AJAKA (Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism) (14:49):** The Government is committed to countering the hateful and divisive "us" and "them" extremist mindset which seeks to undermine social cohesion and community harmony in this country. In March this year, the House will recall, I was proud to announce the community in partnership taking action [COMPACT] program, which was the product of months of consultations I conducted with all sections of the community on the best way to prevent extremist hate, violence and division from impacting on our community.

COMPACT aims to inspire young Australians from all communities to stand up and stand united against the divisive forces of hate, fear and violence in the interests of social cohesion and community harmony. The COMPACT program supports an alliance of community partners who all share a commitment to Australia's peaceful and harmonious way of life. In March I announced \$8 million in grant funding to support 14 projects involving 36 partner organisations working together. During the next two to four years of the program, we expect our COMPACT partners to engage directly with more than 55,000 young people, and make a real change in the lives of young people.

On 20 July 2016 I was honoured to host the inaugural gathering of the COMPACT alliance. The first meeting of this alliance is an important and significant step in the policy, and the success of the day demonstrates the support within the community for our approach. All our COMPACT partners are experts in youth and community engagement. More than 80 community leaders, experts and practitioners representing our 36 COMPACT alliance partners participated in this significant gathering. The summit brought all of this talent and experience together, working towards a common cause and vision for a peaceful, harmonious multicultural Australia.

The summit was an opportunity to create a new community of practice around this shared vision utilising the collective experience of COMPACT alliance partners. The summit is another step in forging a strong, robust, collaborative network of community partners—a community alliance that is prepared and equipped to mobilise in

response to any issue that threatens our social cohesion and community harmony. The summit involved hands-on intensive workshops on effective youth engagement methodologies, robust evaluation techniques and responsive crisis communications strategies. Right now, perhaps more than ever, we need people who are actively committed to community harmony working together.

At this particular moment in Australia, and in the increasingly complex world in which we live, we need people who are vocal and assertive in their commitment about harmony. We need positive voices calling for unity in an often uncertain world. We need people to speak up and speak out against the extreme fringes who wish to destroy our peaceful and diverse community—extremists who try to incite fear, hate and division. We must resist that tactic with a strategy of our own. Unity is our best defence.

**The PRESIDENT:** Order! I call the Hon. Walt Secord to order for the second time.

**The Hon. JOHN AJAKA:** Together we must tackle the "us" versus "them" rhetoric that extremists deploy to attack our social cohesion and community harmony. That is why we need the COMPACT alliance. We all have a role to play and a job to do, working together in partnership as an alliance. COMPACT is a four-year program which will work through challenges to social cohesion and community harmony during the next four years and beyond. The COMPACT alliance summit was about preparing for the next four years and beyond. How will we face those challenges together? How will we support each other in times of need? How will we overcome adversity and stand up for diversity?

I was impressed by the high level of commitment and engagement from all our COMPACT partners to work together to address these tough issues and challenges. The COMPACT alliance is communities standing side by side as a force for community harmony. Through this, we continue to show the world that New South Wales truly is the most peaceful, harmonious and successful multicultural society.

#### **GREYHOUND RACING INDUSTRY BAN**

**Reverend the Hon. FRED NILE (14:54):** My question is directed to the Minister for Roads, Maritime and Freight. Did the McHugh inquiry into the greyhound racing industry claim a person named Ernie was guilty of abusing greyhound dogs in New South Wales? Is Ernie a resident of the United States of America and not New South Wales? Did Ernie make his confession 10 years ago, which was put in an old report compiled by the University of Toronto, Canada? Will the Government carefully review the McHugh report and support the joint oversight committee inquiry I proposed today to ensure that the McHugh report does not contain any other false allegations?

**The Hon. Duncan Gay:** Point of order: I contend that the question is out of order given that a bill on the subject is under consideration in this House.

**The Hon. Adam Searle:** To the point of order: The question was quite separate and distinct from the bill that is before the House. The question relates directly to the special commission of inquiry and report. Although there is an overlap of subject matter, the special commission of inquiry is not a matter before the House. The bill will close down the industries.

**The Hon. Catherine Cusack:** To the point of order: I support the comments of the Minister for Roads, Maritime and Freight on anticipation. I note that Reverend the Hon. Fred Nile specifically referred to a proposal that he has for an inquiry, which will be moved. The question clearly does anticipate the debate on the legislation before the House.

**The Hon. Duncan Gay:** To the point of order: The question in large part addressed the McHugh recommendations in my second reading speech to the bill and the indication is that the legislation comes from that commission of inquiry. The question is in anticipation of the bill that is before the House.

**The Hon. Lynda Voltz:** To the point of order: The question related to the substance of the evidence that was presented by McHugh, as opposed to his recommendations. Therefore, I argue that the question is in order.

**Reverend the Hon. FRED NILE:** To the point of order: To reiterate, my question simply related to the McHugh report, which contains misleading items. That is separate to the legislation before the House.

**The PRESIDENT:** Order! It is clear that the question of Reverend the Hon. Fred Nile is in breach of Standing Order 65 (4) on the basis of the terms of the Minister's second reading speech and the reliance that he placed on the commission of inquiry, which is the subject of the question.

#### **ALBERT (TIBBY) COTTER WALKWAY**

**The Hon. LYNDA VOLTZ (14:57):** My question is directed to the Minister for Roads, Maritime and Freight.

**The PRESIDENT:** Order! I warn the Hon. Walt Secord for the last time. I note that he was disciplined under Standing Order 192 yesterday, which I will consider a relevant matter if he continues to interrupt.

**The Hon. LYNDIA VOLTZ:** Given the Minister's repeated justification of the cost and location of the "Tibby" Cotter Bridge, why is a new pedestrian bridge now being built only several hundred metres from that \$38 million bridge?

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (14:58):** This is not a bad question. It is by far the best question the Opposition has asked today. It is quite exciting. The "Tibby" Cotter Bridge is located exactly halfway between the Allianz Stadium and the Sydney Cricket Ground, as I have said time after time in this House. People have an equal distance to walk to either of the two grounds. It was not built for the school. The pedestrian bridge to which the Hon. Lynda Voltz has referred is being built for the school.

#### BIODIVERSITY PROTECTION LEGISLATION

**The Hon. RICK COLLESS (14:59):** My question is directed to the Minister for Primary Industries, and Minister for Lands and Water. Will the Minister update the House on reforms to biodiversity legislation in New South Wales?

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (14:59):** The New South Wales Government's draft biodiversity reform package, including the drafts of a new Biodiversity Conservation Bill, amended Local Land Services Act and supporting materials, was released for public consultation on 3 May. The aim of the consultation process was to obtain practical feedback from stakeholders and the community about the proposed reform package, including where improvements could be made to make it more workable. A comprehensive engagement program was rolled out, with more than 1,000 stakeholders and members of the public attending at government-hosted meetings and community information sessions across New South Wales. These included regional roundtable meetings, community information sessions, technical workshops for local government and webinars.

Attendees have generally been categorised into four groups: environmental groups or interests; developers; farming groups or landowner interests; and those interested in the process and detail of the proposed reforms—for example local council officers, and biodiversity compliance and environmental professionals. In addition, detailed input was sought from key stakeholder groups including NSW Farmers, the Environment Liaison Office and Local Government NSW. We have been listening to all feedback. More than 7,000 submissions have been registered, including submissions from individuals and organisations, as well as form letters. All are currently being analysed and a report will be released in the near future. The feedback received will be considered in the development of a revised package with the aim of striking an effective balance between land management and conservation that will benefit farmers and the environment.

We have followed an exhaustive process to get to this point. That has included commissioning the independent review of biodiversity legislation in New South Wales in 2014 and committing prior to the March 2015 election to implementing a package of reforms that delivered upon the intent of the independent expert panel's 43 balanced recommendations. We remain steadfast in that commitment. That is because the current system is not working. It has led to a decline in biodiversity and placed unnecessary burdens on the shoulders of our farmers. I have stood on farms and travelled from one end of the State to the other. I have seen in person how it is failing. The definition of insanity is doing the same thing over and over again and expecting a different outcome. That is why we have developed and put forward an alternative system. The system is balanced, scientific and evidence-based. It will halt the decline in biodiversity in this State and lay a platform for a new relationship between environmental conservation and land management productivity. Importantly, the new framework will adopt a long-term approach to allow farmers to get on with the business of farming while enacting a new level of incentive to ensure that we all deal with our environment in a smarter way.

The reforms are backed by a record \$340 million investment over five years, which includes \$240 million in a new strategic and prioritised private land conservation program. We want to ensure that the new legislative framework truly delivers on the independent expert panel's recommendations, and we will continue to consult with the panel to ensure the balance it designed is achieved. The New South Wales Government will now thoroughly consider all submissions from the public consultation period and will make any necessary changes before finalising and delivering the biodiversity reform package in the near future. I reiterate our commitment to introduce legislation to bring effect to the reforms into this House in 2016 and to implement the reforms in 2017.

#### POULTRY INDUSTRY

**The Hon. MARK PEARSON (15:03):** My question is directed to the Minister for Primary Industries. The current egg production regulatory framework allows for the live maceration or gassing to death of millions

of newly hatched male chicks as "industry wastage" because they are of no economic benefit to the industry. Gene technology can now differentiate between male and female chicks in the early egg incubation phase, with German researchers soon to release a commercially viable in-ovo sexing test that will result in the destruction of male embryo eggs prior to them developing sensibility and a capacity to feel distress and pain. Will the Minister advise when the Model Code of Practice for the Welfare of Animals: Domestic Poultry will be revised to prohibit the live maceration or gassing of male chicks as an unjustifiable practice?

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (15:04):** I thank the member for his question and for highlighting the research the industry is doing and its investment into advancements in chicken sexing in egg production. It is a good example of how our food and fibre primary producers are addressing issues of concern to consumers. They are investing a record amount into research and are continuing to look at the innovation and technology available in Australia and around the world for their production processes. We should all be standing up and saying that is exactly what we want to see from a mature primary industries sector in this State. For example, they are investing in better techniques in animal husbandry and, as the member highlighted, in chicken sexing in the egg industry. That is what we ask of our industries.

My point is that we do not need government to be telling industry what to do. In this case our primary producers are leading the charge and backing up their actions with record amounts of money. They are at the forefront of ensuring they are responsive to some of the issues in their industries. For further information, the industry is funding research by the CSIRO to enable the sexing of chickens in the early development phase in the egg. This will mean that sexing can occur close to point of lay and not require incubating and hatching of male chicks. The industry is doing that in cooperation with the CSIRO, which is a great example of how our primary producers are working within their industries. In some cases they do not need us to come down with a heavy hand and introduce legislation telling them what to do because they are already doing it.

I previously spoke in this House about our pork sector. I know the member is concerned about sow stalls. Again, the industry determined that it would voluntarily get rid of sow stalls and more than 70 per cent of the sector has gone down that path. That has not happened because we told them to do it; they were already doing it. They understood the issue and put their money where their mouth is. They are working with all producers to address those issues. I am proud of the primary producers in this State. They understand the issues that concern their consumers. Whether it is mulesing or egg or pork production, our producers are leading the charge. They do not need us to tell them what to do because they are already doing it.

**The Hon. MARK PEARSON (15:08):** I ask a supplementary question. Will the Minister go to the specificity of the question, which relates to when in-ovo chick sexing is available. Will the Government amend the model code of practice to prohibit the maceration and gassing of male chicks?

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (15:08):** I thank the member for his supplementary question. Without repeating too much of my previous answer, layer chickens are specifically bred for egg production and the male chickens are unsuitable for rearing for meat. Male layer chickens are killed upon hatching and sexing of the chickens at layer hen hatcheries. This is recognised practice in the industry globally. Maceration is a humane method of killing day-old chickens as the chickens are killed instantly. It is recommended in the current national Model Code of Practice for the Welfare of Animals: Domestic Poultry, fourth edition. The industry is funding research by the CSIRO to enable the sexing of chickens in the early development phase in the egg. This will mean that sexing can occur close to point of lay and not require incubating and hatching of male chicks.

#### COMMERCIAL FISHING INDUSTRY ADJUSTMENT PROGRAM

**The Hon. MICK VEITCH (15:10):** My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. Given concerns about what some in the commercial fishing industry say is your policy-on-the-run approach to the industry's restructure, and the fact that family-run fishing businesses are struggling to decide whether they will remain or exit the industry, will the Minister now hit the pause button on the process and provide information to fishers so they can make informed decisions about their future?

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (15:10):** I thank the member for his question. This is a complex reform and I doubt that anyone involved in the industry or those looking in from the outside would argue with that. In this State every fishing business is different; hence, in this reform, we are dealing with more than 1,000 different case studies—for example, some businesses have multiple share classes, and different regions have different share classes. Often fishing businesses have different structures—some are corporate entities and others are family-owned—and they hold many different types of shares.

There are also many different scenarios throughout this reform so it cannot be said that what one person may say will be backed up by the next person. I acknowledge that the member has been asking for the pause button to be pressed for some time now. For every person I meet in the industry who says, "I am not sure about what we are doing", I meet another who says, "I agree with what we are doing. Can you get on and get it done?" That is why the Government is taking the precaution of stepping through this reform package with the industry. This is not a set and forget. I did not make this announcement back in May at Mrs Macquarie's Chair and that was the end of it. The Hon. Mick Veitch is correct in saying that over the past few weeks some changes have been made, but the fishers themselves were the drivers of those changes.

Some fishers told me the interim total allowable catch levels that we had put in place, which were to be reviewed in 2019, did not give them enough certainty to decide whether to stay or go. So I changed it to 2024, which will give them another five years of quotas for those share classes. Other fishers have said to me, "We would really like the changes to have an unendorsed crew member come in next year, if we have the shares to do so, because it will make it safer and easier for us to catch our fish." So we went back and said, "Let's bring that forward." Another fisher said to me, "Why are you making us have one boat with X amount of shares and another with X amount of shares with different fish traps on each boat when I am the one person? Can I roll those over into the one boat and have extra pots?" That made sense so that was another change we made.

The Government is stepping through this reform with the fishers. Some do not want it; others can see it is the way of the future—namely, linking their shares to an allocation of quota of the natural resource and that resource, which is the property of the people of New South Wales, gives certainty to those fishermen. In the past closures were put in place in some estuaries and those fisheries received no compensation—for example, when the Hastings River was shut for commercial fishing they were told, "You have still got shares. You can still go fishing in your region." But that river was where they caught that species so they lost that allocation of quota. This will set them up so that can never happen again. I get that it is complex, but the Government will work with the fishers until we get this right.

#### PACIFIC HIGHWAY UPGRADE

**The Hon. CATHERINE CUSACK (15:14):** My question is addressed to the Minister for Roads, Maritime and Freight. Will the Minister update the House on the completion of the Nambucca to Urunga section of the Pacific Highway upgrade, which was opened last month?

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (15:15):** It was a pretty good day when I attended the official opening to traffic of the 22-kilometre Nambucca Heads to Urunga section of the Pacific Highway upgrade. Last month I was joined by the member for Oxley, Ms Melinda Pavey, and the Federal member for Cowper, Mr Luke Hartsuyker, at the future site of the Nambucca Service Centre to mark the opening. This 22-kilometre section is the third major section of the upgrade to be opened to traffic in the last 12 months. Members will recall that it was along this stretch of road in 2012 that 11-year-old Max McGregor was tragically killed when a utility crossed to the wrong side of the road, hit a truck, removed the steering from that truck and the truck then hit the house. This was one of a number of horrific accidents along this stretch of road. Shortly after that I can recall being joined by the local member at the time, Mr Andrew Fraser, and a community that was shocked and hurt by what had happened. We did not have money at the time but with the help of Mr Andrew Fraser and then Deputy Premier Andrew Stoner we set about getting money to fix this. This upgrade is now open and is one of the most important upgrades we have done.

Some 70 per cent, or 459 kilometres, of the highway duplication is now complete and a further 117-kilometre section is under construction. It was only a couple of months ago that I attended the opening of the Frederickton to Eungai Pacific Highway upgrade where the site of the catalyst for the upgrade—the Clybucca bus crash—is located. Sadly, each one of these sections is marked by a tragedy, but as we are progressively going up the Pacific Highway we are bypassing these crash sites. The \$780 million section between Nambucca Heads and Urunga opened a month ahead of schedule and will go a long way to removing heavy vehicles from local roads, with the duplicated highway bypassing the community of Urunga. Are they happy? They sure are.

The upgrade delivers massive safety and travel time improvements to the 14,000 motorists who travel along this stretch daily. Freight operators also will benefit from better access to local businesses and agricultural industries in the State's north. Once the highway is fully duplicated there will be travel time savings of about 2½ hours between Sydney and Brisbane, when the last section opens to traffic by 2020. The numbers of lives lost is also declining and as we reach new milestones this number keeps going down. The really good news is that since we started the duplication of this highway the number of deaths per annum has halved. That alone makes it worthwhile because this is the local road of these communities. [*Time expired.*]

### PILLIGA CYPRESS WOOD RESOURCES STUDY

**Mr DAVID SHOEBRIDGE (15:19):** My question with minimal notice is directed to the Minister for Primary Industries. Will the Minister advise when the Cypress Wood Resources Study for the Pilliga will be released to AustWood, the forestry industry in the Pilliga, and when it will be made available to the general public?

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (15:19):** I thank the member for his question with minimal notice. In late 2015 the Department of Primary Industries engaged Professor Chris Bracks to undertake an independent review of the long-term sustainability of the white cypress timber resource in western New South Wales State Forests. The review was initiated to provide assurance to government that there are no underlying systemic issues that may affect long-term planning and sustainability of the resource, which may impact on the viability of the industry in the cypress sector.

The independent consultant has interviewed the two customers that hold wood supply agreements, and staff from the Forestry Corporation of NSW. In February 2016 the consultant spent a day in the field inspecting harvesting operations in the cypress forests in western New South Wales and visited the Baradine and Gunnedah sawmills—now closed—with the operators. The two cypress customers and the Forestry Corporation of NSW were provided with the terms of reference. The consultant was appointed given his international experience, his previous experience in reviewing timber resources for New South Wales State Forests and his knowledge of the timber modelling systems utilised by the Forestry Corporation of NSW and other forest managers in Australia.

Overall the report found that the estimates of current log volumes and the estimates of long-term sustainable timber supply provided by the Forestry Corporation of NSW are sound and provide for the long-term management of the cypress industry. The New South Wales Government is carefully considering the report findings and discussing opportunities with industry to respond to the recommendations. I have been advised by my office, and it has been confirmed in the last few minutes, that the report is now published on the website of the Department of Primary Industries. I direct the member and anyone else interested to the website of the Department of Primary Industries.

### MISTREATMENT OF CHILDREN WITH DISABILITY

**The Hon. SOPHIE COTSIS (15:21):** My question without notice is directed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. In the light of the discovery of 64 cases where New South Wales Department of Education staff were alleged to have mistreated children with disability between January 2014 and October 2015, what steps has the Minister personally taken since these revelations were aired to ensure incidents of abuse are stamped out?

**The Hon. JOHN AJAKA (Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism) (15:22):** I am aware of the article yesterday that detailed disturbing allegations about bullying and abuse of students with disability in New South Wales schools. I know the wider community will join me in condemning bullying and abuse of people with disability; it is abhorrent. The New South Wales Government takes very seriously all allegations of ill-treatment of people with disability, including students. I am advised that any allegations of ill-treatment of students are treated as allegations of reportable conduct under the New South Wales Ombudsman Act and are referred to the Department of Education for assessment and possible investigation. Remedial or disciplinary action, which may include dismissal, may be taken against the teacher when an investigation finds that they have engaged in misconduct.

Under the Disability Inclusion Act, all New South Wales Government departments must have a Disability Inclusion Action Plan. These plans identify how, over time, Government service providers will respond to the needs of people with disability in new and more responsive ways, including for any mistreatment of people with disability. As I indicated, any further evidence or any allegations of abuse should be directed to the Ombudsman's office and any further questions on this matter should be referred to my colleague the Hon. Adrian Piccoli, who is the Minister for Education.

### PREMIER'S MULTICULTURAL MEDIA AWARDS

**The Hon. BEN FRANKLIN (15:23):** My question is directed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. Will the Minister update the House on the 2016 New South Wales Premier's Multicultural Media Awards?

**The Hon. JOHN AJAKA (Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism) (15:24):** On Thursday 21 July it was my pleasure to join the Premier, the Hon. Ben Franklin and other colleagues, distinguished guests and members from the multicultural media at Doltone House, Hyde Park, for the New South Wales Premier's Multicultural Media Awards. Multicultural media in New South Wales is a strong voice for our diverse and vibrant communities. The awards acknowledge the valuable contribution

multicultural media plays in our society by connecting people to their culture, identity and language and by contributing to the media diversity in New South Wales.

The multicultural media have a unique opportunity to reach out across cultural and lingual divides to unite communities in today's Australia. Now in its fourth year, these awards continue to grow. The judging panel had the very difficult task of assessing 109 nominations across 14 categories. Entries for the awards dealt with complex stories reflecting contemporary multicultural Australia, such as the experiences of Syrian refugees, the centenary of the Gallipoli campaign and the investigation of the royal commission into child sexual abuse.

The award categories were broadened this year to include a category for Best Student Work Promoting Harmony and Cultural Diversity, which received a flood of entries. I was delighted to present the award to Ms Sejal Madan for her poem *I see humans but no humanity*. Students such as Sejal and Pri Kumar from the *Indian Telegraph*, who won the Emerging Journalist award, are our next generation of journalists who will be a vital part of the multicultural debate within their own culturally diverse community and the wider public.

The coveted Best Print Publication of the Year award was taken out by the *Australian Jewish News*, which was also successful in the Best Investigative Story category for its work on the Australian Jewish Communal Lobby. That publication also won Best News Report and Best Use of Social and Digital Media for its coverage of the royal commission into child sexual abuse. Mr Noel Kessel took out the Best Image category for his work *A Walk for Peace*.

Mr Zia Ahmad from the *Australasian Muslim Times* was awarded Best Editorial/Commentary for his piece *Loyalty to one's nation*. Mr Raymond Selvaraj and Mr Kulasegaram Sanchayan of SBS Radio Tamil were awarded Best Radio Report for their story "Untouchables amongst us". Greek community television program Meraki TV was awarded Best Community TV or Community Radio Report. Ms Gina McKeon and Mr John Birmingham from SBS were recognised for their work *Boyz N The Wood* in the Best Story on Cultural Diversity category.

Charles Sturt University was awarded Best Creative and Innovative Design for the film *Respecting Everything*, a creative collaboration with tribal elders exploring their culture, lifestyle and communities. Best Long Form Feature was awarded to Ms Francesca Rizzoli of SBS Radio for her work *Dear Syria*. One of the highlights of the evening was the presentation of a Lifetime Achievement Award to Mr Armando Tornari, OAM. Mr Tornari is known for his services to the Italian publication *La Fiamma*. He founded the Italo-Australian Youth Association, organised scholarships for young Australian fashion designers, singers and artists, and is a founding member of the Father Atanasio Gonelli Charitable Fund. There is no doubt in my mind that these awards will continue to grow because one of the great strengths of our diversity is the breadth of our multicultural media, which reflects our harmonious and diverse society.

### BIODIVERSITY PROTECTION LEGISLATION

**Dr MEHREEN FARUQI (15:28):** My question is directed to the Minister for Primary Industries, and Minister for Lands and Water. There have been 7,000 submissions made to the biodiversity reform review process. Why has none of them been made public. What is the Minister scared of?

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (15:29):** I thank the member for her question. I am not great on heights, I have to say. I am not great on snakes either. What else am I afraid of? I am afraid of sexting. I used to be scared of going bald, but I got over that pretty quickly.

**Dr Mehreen Faruqi:** Point of order: My point of order is relevance. I asked a specific question about what scared the Minister about releasing the 7,000 submissions that were made to the biodiversity reform review.

**The Hon. Catherine Cusack:** To the point of order: In the course of clarifying her question, the member has fallen foul of the standing orders by introducing argument into the question.

**The PRESIDENT:** Order! The Hon. Catherine Cusack is quite correct. Entertaining though the Minister's response was—and very much appreciated by the House, I am sure—there is probably a kernel of truth to the point of order taken by Dr Mehreen Faruqi. The Minister has the call.

**The Hon. NIALL BLAIR:** Mr President, thank you for your ruling. I did address this point earlier in one of my answers, but I will clarify it. More than 7,000 submissions, including form letters and written submissions from the general public, are all being read and a summary of the issues raised is being prepared by an independent company. That summary will be considered by the departments to ensure that it is accurate and that it reflects the content received. When the summary is finalised, the summary and all the submissions that are not confidential will be released. This will be completed well before the legislation is considered in Parliament.

**The Hon. DUNCAN GAY:** The time for questions has concluded. If members have further questions, I suggest they place them on notice.

### NEWCASTLE LIGHT RAIL

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (15:31):** Yesterday I was asked a question by the Hon. Robert Brown about employment on the Newcastle Urban Transformation and Transport Program. I indicate that the Government has committed \$510 million to revitalise Newcastle's city centre through this program of works and has engaged numerous contractors with both a national and an international presence to bring best practice and innovation to the program. Indeed, more than 80 contractors and subcontractors with a local presence have been engaged so far to deliver work, including more than 20 on the transport interchange at Wickham, more than 25 on clearing the heavy rail corridor, more than 20 on urban renewal and associated activities, and more than 10 on the Broadmeadow station upgrade.

**The PRESIDENT:** Order! Members will listen to the Leader of the Government in silence.

**The Hon. DUNCAN GAY:** More than five contractors and subcontractors with a local presence have been engaged so far on the Newcastle Light Rail project. Just yesterday the Minister for Transport and Infrastructure announced that Downer EDI has been appointed as the managing contractor to deliver the light rail project. When major construction on the light rail starts next year, even more local firms will be engaged to deliver construction works. For example, Laing O'Rourke was awarded the contract to design and build the interchange at Wickham in December 2014. Since then, about 70 per cent of the dollar value of all contracts has been awarded to local suppliers and contractors.

Novocastrians have been very clear they want locally based decisions about transport in Newcastle. That is why the Government established the Newcastle Coordination Office to bring all of these projects together. We have prioritised local employment within this team, with local team members committed to Newcastle because they live in Newcastle and care about the city's future. Transport for NSW procurement is undertaken in line with government procurement guidelines to get the best value for money for the people of New South Wales, including shortlisting capable contractors and price competitive tendering. Locally based companies are given every opportunity, as they should, to tender for government contracts through a fair and transparent process.

### *Bills*

## GREYHOUND RACING PROHIBITION BILL 2016

### Second Reading

#### Debate resumed from an earlier hour.

**Dr MEHREEN FARUQI (15:34):** I speak on behalf of The Greens to support the Greyhound Racing Prohibition Bill 2016, and commend the New South Wales Government for having the guts to stand up for animals and to draw a line in the sand to end a sport that is built every year on the deaths of thousands of greyhounds. The special commission of inquiry report makes chilling reading. Although I have some concerns about the bill, which I will talk about later, this is much-needed legislation that puts an end to greyhound racing from 1 July 2017.

I am extremely proud that The Greens have been at the forefront of this fight to shut down greyhound racing in New South Wales. My dear friend and Greens member of Parliament the late Dr John Kaye led the charge by moving the motion to establish a New South Wales parliamentary inquiry into the industry back in 2013. While the final report of the inquiry was disappointing, Dr Kaye submitted a dissenting report calling for broad reforms and much tighter regulation of the industry. In early 2015 an explosive *Four Corners* investigation found widespread evidence of live baiting, which eventually led to the establishment of the special commission of inquiry in New South Wales.

The Greens policy clearly supports a ban on greyhound racing in New South Wales and the allocation of sufficient resources by the industry to rehabilitate and rehome affected animals. In line with this, Dr Kaye introduced the first Greyhound Racing Prohibition Bill into this Parliament in May last year. I acknowledge that John's partner, Lynne Joslyn, was in the Chamber earlier and at the moment John's former staff member, Kelly Marks, is here with us today as well. John had initially believed that the industry could be reformed, but the more he saw and the more evidence that was brought to him by activists and whistleblowers, the more he realised that the industry was rotten to the core and beyond reforming. In an email to members of The Greens Animal Welfare and Protection Working Group in March 2015 he stated:

During the parliamentary inquiry, it became clear to me that the welfare issues facing the industry are profound and systemic. Thousands of dogs are killed each year because they are injured or are unsuitable for racing. Many others are subject to treatment in training facilities that renders them physically and psychologically damaged. Other dogs are exported to Macau where there are

no animal welfare laws to protect them. Now we have learnt that the barbaric use of live animals to 'blood dogs' is widespread and possibly systemic not only in New South Wales, but across the country.

That is the reality this Parliament faces. This sport cannot survive without the deaths of thousands of dogs. Justice McHugh's report estimates that over the past 12 years 97,783 greyhounds were bred and at least 50 per cent to 70 per cent were deliberately killed simply because they never were, or no longer were, capable of being competitive. That is up to 68,448 dogs killed—more than 15 a day.

Added to that we have the 10 per cent to 20 per cent of trainers who engage in live baiting and the 180 greyhounds a year suffering what is called "catastrophic injuries", such as skull fractures or broken backs that result in their immediate death or euthanasia. A further 365 suffer major injuries each year. Forty per cent of greyhound pups born are killed because they do not have the instinct to race. These shocking statistics are entirely consistent with the information The Greens and animal welfare organisations have been receiving from tip-offs and whistleblowers for a number of years.

Premier Mike Baird is right when he admits that there is genuinely no other option but to shut down the greyhound racing industry. The commission's findings are clear that there are systemic, endemic and large-scale animal cruelty issues; there have been integrity and governance failings as well; and there is no confidence that this industry can be reformed. The industry, however, has gone to great lengths to make no changes whatsoever—even when it knew it was being investigated by the special commission of inquiry. The industry continued to try to fake and deliberately misreport greyhound deaths on track so as to avoid "stirring up the greens". It was only in 2016 that injury reports started accurately reporting deaths on field—and the results are horrific. In just 79 days of racing, 39 dogs died and 80 suffered major injuries.

The inability to confront and deal with cases of animal mistreatment is not a new phenomenon in the greyhound racing industry. The industry regulator, Greyhound Racing NSW, repeatedly said that it was committed to greater transparency and to reforms to improve animal welfare, yet consistently failed to deliver. One example is its repeated promises to implement a system of lifetime tracking of dogs from birth to death. This was first promised by the regulator in 2006—more than 10 years ago—yet industry participants were forced to comply with the OzChase system only this year. This has allowed the industry to deceive the public for more than a decade about the number of dogs being killed. The greyhound racing industry has spent years trying to cover up animal welfare abuses rather than fix them. As noted by the commission, the industry consistently puts profits before animal welfare.

In an attempt to clean up the industry, in February 2015 the outgoing head of Greyhound Racing NSW, Paul Newson, was appointed following the live-baiting exposé. According to Newson, there is "outright denial of the significant animal welfare issues in the industry" and "little appetite to demonstrate that significant change was in place before the inquiry had made its recommendation to Government". Every one of the multiple scenarios modelled by the special commission, including reducing the number of races, lowering the number of greyhounds in each race and so-called "tier 3" racing for slower dogs, gave a result of thousands of dead dogs—or what is politely called "wastage". Dogs are not commodities to be bred, raced and killed in the name of entertainment, sport and gambling.

The facts are clear. Justice McHugh's report was based on 13 months of investigation and the consideration of 151,000 pages of evidence, 115 hours of video evidence, 804 new submissions and 69 individual testimonies. Those who suggest that the report is flawed are throwing red herrings in a disingenuous ploy to try to undermine the passage of this legislation. The bill before us implements the Government's announcement to wind up the greyhound racing industry and Greyhound Racing NSW, and makes it an offence to race greyhounds or to bet on greyhound racing inside New South Wales from 1 July 2017. It also makes it an offence to breed a greyhound for racing, keep a greyhound for racing or operate a training track, although these provisions do not come into effect until proclaimed by regulation. This transition period is of unknown length—that length to be determined by the Greyhounds Transition Taskforce.

As I said, I have some concerns about the bill. I am deeply uncomfortable with the fact that the export of dogs remains on the table. I remind the House that the horrors discovered by the special commission and the *Four Corners* investigation are not unique to New South Wales and are present everywhere there is a greyhound industry. It is only a matter of time before dogs that are exported from New South Wales show up in an exposé in another State or another country. I also question the open-ended time frame of the regulations around breeding and keeping racing animals. In fact, the breeding of greyhounds for racing should end now to minimise the number of dogs needing rehoming.

I hope that the Government moves swiftly to issue regulations to require the cessation of the breeding and keeping of racing animals as soon as possible after 1 July next year. Another concern is that the definition of "a greyhound adoption program" follows protocols set by RSPCA NSW and the Animal Welfare League NSW.

This has the potential to shut out existing greyhound rescue groups who do not conform to that protocol. We must ensure that they are not excluded so that we maximise the number of dogs being rehomed. The Greens will continue to campaign on these issues to get the best outcome for animals. I turn now to the disgraceful position of the New South Wales Labor Opposition on this issue. During the 2015 election, the Leader of the Opposition, the Hon. Luke Foley, and NSW Labor released their animal welfare plan. In the foreword the Hon. Luke Foley stated:

A civilised society cares for its people and looks after those who are vulnerable. A civilised society also ensures that its animals are treated humanely.

At the time he also said:

Recent revelations of animal cruelty in the greyhound industry highlight the urgent need to take a new, comprehensive approach to animal welfare in NSW.

What a difference a year makes. To say that the community is outraged and feels betrayed by Labor's shameful opportunism is an understatement. I know there are many in Labor, from the grassroots to members of Parliament, who are shocked by the position taken by the party. Labor talks endlessly about this being "a few bad apples"—I assume in reference to live baiting. Even if live baiting were being done by "just a few bad apples"—which the report makes clear it certainly is not—it is the least of the industry's problems.

The bill and this debate are not about good people or bad people; they are about an industry that is cruel and cannot reform. There is not a greyhound pup being born today that does not face at least a 40 per cent chance of being killed for not showing enough promise before its first race. Just 30 per cent of dogs racing today have a chance of being retained as a pet by the owner, or being rehomed by the industry or by not-for-profit groups. The rest, up to 70 per cent, will most likely be killed because they are no longer turning a profit. But Labor does not have a word to say about any of this. Once we ban the commercial greyhound racing industry, the vicious cycle of massive overbreeding and killing of dogs will end.

We must ensure that the dogs currently in the industry are given every opportunity to enjoy a dignified retirement. I have written to the Premier, asking him to take euthanasia and dog export off the table. The industry made a profit from these poor dogs so it cannot just discard them when they become inconvenient—as we have seen with the unearthing of mass graves in the Hunter. Those 99 dogs were killed by gunshot or blunt force trauma to the head. With the shutdown of the industry, the wellbeing of thousands of dogs is at stake in New South Wales, and it is crucial that the animal welfare plan is well researched, resourced and well informed. The Greens have consulted with a range of animal protection organisations and rescue groups in the sector and have advocated a range of options to the transition task force. There must be an immediate end to the breeding of greyhounds for racing.

We want big investment in rehoming, as well as the establishment of sanctuary facilities or halfway houses to enable dogs to be kept safe while the process of assessment takes place, followed by fostering or adoption. These sanctuaries will need to start operating as soon as possible to cater for the period of industry wind-down from now until July 2017 and beyond. It is envisaged that such facilities would be temporary—operating until the current cohort of dogs surrendered has been rehomed. This could involve converting existing tracks to kennels, which would ensure that the kennels are located in areas with existing high concentrations of racing greyhounds. It would require the Government to purchase or negotiate with clubs for the use of the tracks prior to 1 July 2017 to allow for the conversions to take place. It would involve employing responsible workers currently in the industry to care for the animals undergoing the process, with a focus on regional and rural areas and areas with high unemployment rates.

We should learn from the experiences of smaller greyhound rescue groups that have been rescuing as many of these dogs from certain death as they can. There are also opportunities for incentives for current responsible owners to retain their dogs, as well as for investment in promoting greyhounds as pets. I will talk also about the jobs that will be lost once the industry is shut down. The loss of any job can be a terrible outcome, especially in areas of high unemployment. With Government assistance, however, workers in the industry can transition to better opportunities. Even if we did nothing, the inquiry report points out that the industry is facing huge financial issues and was planning to reduce the number of tracks by up to 24—a massive 70 per cent reduction in tracks. That would put hundreds of people out of work, mostly in rural and regional New South Wales. The majority of those tracks are in places like Armidale, Broken Hill, Moree, Tamworth and Young.

So we are faced with two alternative scenarios: We can have an orderly shutdown of the industry with assistance packages for workers, or we can just let the industry fall apart and provide no assistance at all. If we take the highest figure that has been suggested, there are 2,700 jobs at stake. That includes secondary impacts on other workers, such as those in tourism, retail and accommodation, as well as veterinarians. That is no small

number of jobs, but it is definitely not an insurmountable challenge, given careful consideration and with just transition. Now is the time to develop plans for a transition for workers.

It has also been suggested that this ban is a ploy to grab public land. Given the record of the Government, I appreciate that that is a real risk, but I think they are two different issues. I refuse to take a position that the only way we will retain places like Wentworth Park is on the backs of thousands of dead dogs. The Premier has said that they will become community spaces, and I intend to hold him to account. We must ensure that the public land currently used for greyhound racing remains in public hands for community use. We need to consider what facilities will replace the racing tracks and how to maximise employment in them—for example, creating sporting and recreational facilities and hiring people to work in sanctuaries for surrendered dogs.

Greyhound racing is a sport that is in chronic decline. The special commission of inquiry report showed that, on average, barely more than a couple of hundred people attend a meet, and many of them are linked to trainers. The Government has made a good decision, but it has been on the back of people power. Thousands of people in the community have written letters, rallied at protests and let the Government know that they will accept nothing less than a ban on greyhound racing. This bill is a huge vindication of their efforts. Today I guarantee to them that I and The Greens will continue to hold the Government to account in delivering a shutdown of the industry that does not compromise animal welfare.

I note the fine work of people such as Verna Simpson at Humane Society International and Caro Meldrum-Hanna and her team, who produced the *Four Corners* exposé, and organisations like GREY2K, Gone are the Dogs, the Anti Greyhound Racing Network and many others. I pay special tribute to Dr John Kaye's former staffer Lauren Waldon, who has put her heart and soul into working with everyone to achieve this outcome. I also make special note of greyhound carers, who have for decades been rescuing dogs from certain death, often at significant personal and financial cost—people like Janet and Peter Flann from Greyhound Rescue. Notwithstanding my concerns, The Greens strongly support the ban on greyhound racing and the bill before us to do exactly that.

**The Hon. ROBERT BORSAK (15:51):** The Shooters, Fishers and Farmers Party will not back down in its support for the greyhound racing industry. We will support, at the first opportunity, future moves to reinstate the industry after this bill is rushed through both Houses of Parliament. Unlike The Nationals, who are more than happy to come to heel as the lapdog of the Liberal Party and its out-of-touch North Shore interests, we will not sell out rural New South Wales and its communities. The Nationals do not realise their full power in the Coalition—or, if they do, they are too self-interested to wield it effectively. The Liberal Party needs The Nationals to govern more than The Nationals need the urbane, blue-tied, bespoke-suited Liberal Party.

I can speak only for myself, but the complete shutdown of the greyhound racing industry without compensation—despite what The Greens are mouthing—is an absolute disgrace and one of the worst decisions I have seen as a member of this House for the past six years. I will not be a party to it. The abolition of the New South Wales Game Council, the peak body that acted as an independent conduit between hunters and government at the time, was a bastard act on a scale that I never thought I would see repeated. Now I am living through it again. Even now, after Justice McHugh has admitted the assertion that the industry would be unviable in a restructured form was wrong, the Premier refuses to acknowledge that he has made a mistake. It takes a strong leader to stand up and admit when they are wrong. Some can rise to the challenge; others cannot or simply will not. The Premier lacks the guile and strength of conviction to admit that he is wrong and to take into account the will of the people of New South Wales when he has not made the right call. He gazumped the industry and the entire State.

Even members of his own Cabinet were caught unaware and are now forced to support his decision, against their individual will and best judgement. It is obvious that the Premier made a moral judgment, based on his own personal beliefs, when he rushed to post on Facebook, whilst holidaying on the Gold Coast, his plan to ban greyhound racing. No-one is entitled to govern this State based on their personal views and morality—certainly not without considerable debate. Where is the moral outrage for those thousands of families whose very livelihoods are affected by this decision? Who will support those people in their grief, depression and loss of self-esteem? Who will support country communities that face a loss of income and assets? It will not be this Government; that is for sure. To put such a bill on the table without offering compensation is a bloody disgrace.

Unlike thoroughbred racing, greyhound racing is a working-class sport. Participants, whether trainers, breeders or owners, are often not well financed. Most do it for the love of the dogs, their community and their way of life. They also are more vulnerable to the abolition of the industry. I am deeply concerned for the mental health and welfare of these people, who, in the majority of cases, were doing the right thing. What about the pet food industry? An overwhelming amount of pet food is consumed by the greyhound industry. What happens to those companies and their hundreds of employees when their business goes broke? Did the Premier and Deputy Premier, as the Minister responsible for this industry, think of that? Obviously they did not.

It is evident that the Premier and his office of yes-men have not considered the impact of banning the greyhound racing industry. What, for example, will happen to the thousands of dogs involved in the industry? Already animal shelters struggle every Christmas to house unwanted animals. There is an annual animal welfare crisis. At the beginning of the next financial year additional tens of thousands of greyhounds will need to be housed. What is the Government's plan to address this? I have heard that it is to partner with vets and crematoriums to euthanise unwanted animals and dispose of the carcasses. If we want to talk about "animal wastage", as introduced by Justice McHugh, let us talk about that issue. The Premier appears to want to hold the high moral ground on animal welfare. Will the Premier and Deputy Premier guarantee that no-one will self-harm or commit suicide because they are faced with the prospect of losing everything? We talk about animal welfare, but what about putting human welfare first? I repeat: It is a bloody disgrace.

I have been actively involved with the greyhound industry for the past four years. I chaired the select committee that examined the industry and recommended changes that would not only quash animal welfare concerns but also move towards ensuring that the greyhound racing industry would remain a viable entity well into the future. The industry undertook 15 months of reform, from February 2015 to May 2016. I had numerous assurances over that time from Deputy Premier Troy Grant and his office that the greyhound racing industry would be supported in its restructuring and reorganisation. Now, however, it is evident that all of that was for naught.

Make no mistake that we are dealing with legislation that has been introduced based on a flawed report by Justice McHugh. The concocted story of the greyhound-abusing "Ernie" has also been shown to be false. McHugh has admitted to this and other falsehoods in the report. I cannot fathom that even the Premier would be so gullible as to believe such a trumped-up report, the inquiry of which was pre-engineered to produce a decision that the Premier, at least secretly, wanted. It is hard to recall an issue that has attracted so much interest over a long period, not only via the media but also among the public, who, more often than not, have no affiliation with the greyhound racing industry but are sympathetic to the plight of those affected by this terrible decision, whether owners, breeders, or the dogs themselves.

Greyhound racing has been labouring under terrible financial constraints imposed by this Government, but, as a testament to their resilience and drive to continue this reputable sport, participants in the industry have continued. The greyhound racing industry has been starved of more than \$225 million over the past 15 years, under the revenue distribution agreement and the inter-code agreement between greyhound racing, thoroughbred racing and harness racing. Greyhound racing has been subsidising harness racing and thoroughbreds under both Labor and Liberal governments. That money could have been used to address any shortcomings in the industry and improve its standing. This is a theft of funds under an unfair arrangement and an active connivance on the part of successive governments that favour the glamour code—thoroughbred racing. Make no mistake, it is in our sights now.

Yet despite this major dump of cash and further major cash injections, the code is performing poorly when compared to its Victorian competitors. Given its performance in the past, this extra cash has been wasted on a racing code that fails to thrive because it is so heavily subsidised, is such a bullying tactic and dwells on the self-perpetuating spurious argument that it is economically significant to this State and therefore entitled to remain so by ratting other codes of their just market share returns. The Government and the Labor Opposition need to change and, in some variation of the words of former Prime Minister Abbott but with the correct sentiment, "stop chasing the thoroughbred racing industry down the track with a cheque book".

I am on the record as saying that market forces need to take effect and the industry and the Government of the day that is sucking up to it need to realise that this industry will never compete successfully with the Victorian turf calendar until it gets its hands out of the pockets of the taxpayer, stops ratting the smaller codes and starts to truly create a product that punters want. The debate on the ban on greyhound racing shows that it is indeed one of the codes that punters want.

Finally, let us cover McHugh's introduction of the doctrine of so-called "social licence". This concept has never been flagged before and appears to be either something hastily concocted by a millennial undergraduate while the boss was away, or something from The Greens' playbook. My staff were at the recent NSW Farmers annual conference in Sydney, and they report the visceral response to such a loaded term among delegates was palpable. I am surprised that The Nationals did not see fit to change their support at this point. What precedent does this set? Will it mean that the rest of the country will have to cater to the interests of a narrow-minded, uninformed, urban elite? Will we lose the social licence to milk cows because they do not realise that milk comes from cows, not from a carton? At what stage will the licence be withdrawn when the count is done on the wastage of viable dairy cattle?

Will we lose the social licence for meat production because of Instagram photographs of infant animals promulgated on social media? Will we lose the social licence to have animal-based textiles—a respectful way of ensuring that an animal used for food is not then laid to waste but serves a purpose? Will we lose the social licence

for any form of hunting, fishing or farming; or is this concept of a social licence conveniently applicable by the Premier only to animals that we happen not to eat? I pose the question: Would we be having this debate if we were eating greyhounds instead of racing them? Members should think about that very carefully. A concept such as social licence is deliberately loaded, vague and malleable, to be fired at will at any undesirable pursuit du jour when the ruling class seems to think it needs to get its way.

In question time today the Hon. Mark Pearson of the Animal Justice Party started his attack on the poultry industry, using the Premier's term "social licence". The so-called animal rights campaign against animal-based industries already has begun, and it is the direct result of the actions of Premier Mike Baird, Deputy Premier Troy Grant, and the impotent Nationals who do not have the guts to stop them. In conclusion, I will read a few extracts from a letter I received this morning, among lots of other correspondence that I have received via email and in other forms. This particular letter was sent to Deputy Premier Troy Grant from a Dubbo resident and copied to me. I have redacted the name of the constituent to protect their identity, but it mirrors the sentiment expressed across the State that I have encountered almost universally. It states:

I am extremely disappointed in the action the State government has taken to ban racing. I believe as the head of the National Party in New South Wales you—

That is, the Deputy Premier—

and your colleagues should have not agreed to this action.

This is not the Nationals way to do things ... I have never, and I mean never written a letter to a politician before, I promise I will not vote for you if you do not get your head out of the Liberal party ass, you and a lot of other National Party members will lose in the bush.

Surely the Gillard Government banning live cattle exports to Indonesia and the massive damage that caused must have crossed your mind prior to making this decision, I repeat again this is not the way the Nationals should be conducting themselves.

I have been a National Party voter all my life—

This is a constituent of the Deputy Premier—

and I would be reluctant to change, however I don't see my clear way to vote for you with your concurrence with this action, I can advise you that this is the opinion of all the people I talk to in Dubbo.

The Shooters, Fishers and Farmers Party strongly opposes the bill and urges other members of this place to do so as well. There is only one thing that has lost the social licence to exist in New South Wales—and that is the Baird Liberal-Nationals Government.

**The Hon. MARK PEARSON (16:05):** The Animal Justice Party overwhelmingly supports the Greyhound Racing Prohibition Bill 2016. Last year I was asked to assist with developing a strategy after unfortunate evidence was gathered over several months in relation to live baiting. The training of greyhounds routinely involves a great deal of live baiting. Many trainers would arrive at a training track with various species—rabbits, possums, cats and piglets. One particular scene has haunted me ever since. It was not a one-off incident; it is systemic, it is part of the industry, it is the norm and it is integral to the industry. In broad daylight a possum, which is a nocturnal animal, was strapped to a lure. A cloth was placed over its shoulders and it was strapped down firmly by its lower legs. The only part of its body it could move was its tail. Owners paid \$50 to train their dogs using that live bait.

The lure was set off, with engines roaring, screaming and vibrating. This nocturnal animal was sped around the track. When it was stopped, the dogs were allowed to tear and rip at it. It then came back around to the start. The possum was kicked around and hit to see whether it was conscious. If it was still alive it was sent around again with other dogs. A possum that came back conscious would emit a very high-pitched squeal—as do kittens, piglets and rabbits, believe it or not, when suffering and in enormous distress. The possum to which I refer went around the track 23 times, and it was still conscious. If the owner of the dog was satisfied with the live baiting episode and the possum was still alive he could have his \$50 refunded because the animal could be used for the next dog. The possum would be left there to die a long, lingering death. The police described it as torture.

Justice McHugh subpoenaed 10 trainers to give evidence to the inquiry. Nine of them said—they could have lied but they did not—that they used live baiting to various degrees, and one refused to answer the question but certainly did not deny it. Therein lies the savagery of the greyhound industry. It is not a minority of trainers; it is not a one-off incident. Nine out of 10 trainers admitted to live baiting and that means the industry cannot save itself from itself. No regulator can save it from itself. The Government has rightfully decided that no government can save the industry from itself. That is why the Animal Justice Party and I personally overwhelmingly support the Baird Government in taking this historic, principled and ethical decision.

The greyhound industry has a long history both here and afar. It is a history built on animal cruelty that traces the "sport" from the traditions of the elite and royalty to the "battlers' sport" that it is portrayed as today. Its

long history is important as it coincides with the dynamic shift of social and community expectations regarding our relationships with animals. It is clear that the industry has formulated its own demise, no doubt carrying innocent casualties with it of both the human and non-human kind. The industry and its core participants have ignored society's shift regarding animals and their treatment. The shift places high expectations on those seeking to profit from animals and transcends political persuasions and socio-economic backgrounds. To pigeonhole love for animals as elitist and snobbery is an insult to working class everyday people, many of whom will take in a rescued greyhound as owners seek to dispose of them in the coming months when they no longer bring in revenue.

It has been a widely known secret that the greyhound industry has systemic animal welfare issues. It is critical to note that those issues are systemic, not rare or in the minority. Stories of live baiting, mass graves, greyhound muscle men and over breeding have been common for a very long time. There has been a great deal of evidence about greyhound muscle men, which I will explain. When a greyhound has an injury it is very rarely taken to a vet or has a vet called for it. Instead, a decision is made to immediately breach a section of the Prevention of Cruelty to Animals Act that says it is an offence to fail to provide veterinary treatment. A greyhound muscle man is called in. People who have been in the industry have given clear descriptions of what muscle men do. If a dog has gathered a serious injury while racing and cannot perform the muscle men will try various practices. One of them is to strap the front two legs of a dog to a high tree branch and then stretch the bottom two legs to try to rectify the injury. No analgesia or pain relief is given while the muscle men do the job. That practice is systemic in the industry.

In my previous job I was privy to a large amount of evidence but not enough to bring about prosecutions at the level required. It was only in early 2015 that the evidence exposed in the *Four Corners* broadcast "Making A Killing" that I unfortunately witnessed as I assisted in obtaining that evidence for the program and for the police. The exposé documented what has been spoken about a great deal today. The important thing is the program was the catalyst for the establishment of the commission of inquiry. It utilised covert video footage of the most appalling cruelty and suffering obtained by animal activists—those passionate everyday people exposing acts which the Government, authorities and the industry could not or would not investigate and rectify. This is a testament to the everyday people who seek to right the wrongs of this world, which includes those committed to voiceless animals beholden to our care that have suffered at the hands of callous people who knowingly committed illegal activity day in and day out.

Thanks to the Government and the commission of inquiry led by Michael McHugh, the public and the lawmakers of this State—and, indeed, across the globe—have had the truth revealed to them. I repeat that it is truth. The facts contained in the report by a conservative and esteemed former judge are not fictional or delusional. The bare facts as revealed by the McHugh report are that this industry has implicitly condoned as well as caused the unnecessary deaths of tens of thousands of healthy greyhounds, engaged in the barbaric practice of live baiting, and caused and will continue to cause injuries to greyhounds that range from minor to catastrophic. An enormous amount of catastrophic injuries will occur as a direct consequence of the genetic musculoskeletal structure of the animal as well as the race. Those things are fundamental to the industry and cannot be turned around. They are part of the industry and cannot be changed; however, they are unacceptable.

The McHugh report also found that the industry has deceived the community concerning the extent of injuries and deaths caused during race meetings and it has failed to demonstrate that in the future it will be able to reduce the deaths of healthy greyhounds to levels the community could tolerate. I am sure many in the House will debate the finer points of the economics, jobs and the complexities that come with making such a tough but brave and just decision to shut down an industry. As a member of the Animal Justice Party I will discuss a few other aspects of this industry.

The greyhound racing industry likes to claim that greyhounds are an ancient breed of racing dog going back to biblical days, with thousands of years of adaptation. Modern genetic testing shows differently. In fact, greyhounds are descended from herding dogs such as the St Bernard and the wolfhound, hardly known for their light frames or speed. The selection process is relatively recent, being only a few hundred years old. Breeding selection intensified with the commercialisation of the industry, placing considerable pressures on the greyhound's musculoskeletal structure. Modern greyhounds have been bred for larger muscle mass, lower body fat and a higher overall muscle-to-bone ratio than other canine breeds. This intensive breeding selection has resulted in significant animal welfare issues for a large numbers of animals.

Greyhounds have been shown to suffer from osteochondrosis dissecans, a genetic predisposition causing growth plate fracture in young dogs and hock joint fractures in adult dogs. Hock joint fractures are extremely common injuries experienced during racing. Injuries to the carpal and tarsal joints are also common in racing greyhounds, resulting in an increased risk of osteoarthritis and potential long-term lameness. Risk factors cited are heredity, rapid growth, anatomic conformation, trauma and dietary imbalances. Of these, heredity and conformation have been scientifically supported.

The fact is and always will be that in order for the industry to exist, greyhounds must be bred in excess to replace the dogs existing and to maintain race participation numbers. Greyhounds that do not participate in the greyhound racing industry have a life expectancy of between 12 and 15 years. For the industry's greyhounds, the life expectancy is often far shorter. Many are put down before the age of 4½ years. That is another systemic blight on the industry. Over the past 12 years approximately 97,783 greyhounds were whelped in New South Wales. The McHugh report found, after taking into consideration a multitude of factors, that up to 68,000 of those dogs had been slaughtered simply because they were either too slow or could no longer pay their way.

We cannot tolerate an industry that kills that many dogs because they do not make the grade. What was their fate? Appalling brutality and suffering! If they were lucky it was a bullet to the skull and a mass grave; the unlucky ones got baseball bats to the skulls, were put into crab traps and thrown into a river. In the 2014 committee inquiry into the industry evidence was also given that unwanted dogs were drowned, gassed and hung in New South Wales by Australian trainers and breeders.

From the age of 12 months the training process commences with a "breaking-in" process—sometimes referred to as "education". Breaking-in involves an intensive form of training during which the animal first learns to chase a lure. In many cases the lure used is a live animal, termed "bait". This widespread and rampant practice has been a criminal offence since 1979. The animal used for bait is often a terrified rabbit, possum, piglet or kitten. It also harms the welfare of those so deeply involved in an industry that has at its fundamental core systemic brutality and cruelty to animals.

On the *Four Corners* program we saw—and I saw the complete video—children as young as 10 shown to be unwilling witnesses to this appalling treatment of animals. Members will recall a child being held by the hand and made to stand in front of a possum upon which three greyhounds were set. The possum was torn to pieces. This is obviously common practice; how can it be welfare for those people? This bill is not only about the animal issue—dogs, possums, rabbits, piglets, cats, et cetera—but it is also about bringing people into a better way of compassionate living and children not being exposed to brutalities upon animals. Since 2007, despite the best efforts of volunteer-run greyhound rescue and rehoming groups across the State, Greyhound Racing NSW has only rehomed 593 greyhounds through its Greyhounds As Pets program, at a cost of \$200,000 per year. That is unacceptable. Justice McHugh put it simply when he said:

The greyhound is simply a gambling instrument, no different from a card in a poker game or a handle on a poker machine.

This bill is a historic document and one that will end a cruel industry in an ordered manner, which I support. I commend Mike Baird for his leadership in reviewing the report and evidence, and making the difficult yet right decision to introduce the bill. I strongly commend the bill to the House.

**Reverend the Hon. FRED NILE (16:23):** On behalf of the Christian Democratic Party I make a contribution to debate on the Greyhound Racing Prohibition Bill 2016. I place on record that we are totally opposed, as I am sure all members are, to the abuse of greyhounds and the animals used in illegal live baiting. In a recent discussion with the Premier about live baiting I asked, "Where are the police? Where is the RSPCA?" Apparently everyone knows what is going on but nothing happens and the fault for that must finally rest at the feet of the Government. Those who perpetrated those events must also accept blame, but the Government is responsible for the enforcement of laws in this State. The industry has said it has zero tolerance to live baiting but the *Four Corners* program titled "Making a Killing" showed trainers using live baits.

These key people in the industry had worked out that live baiting dramatically increased the speed of greyhounds and therefore their profits from winning races, and betting on those dogs also increased. The fact that these dogs were twice as fast as a normally trained dog gave an advantage to those trainers and others involved in the gambling industry. The Christian Democratic Party condemns those practices and the abuse of all the animals in those training programs. However, we are concerned about whether the Special Commission of Inquiry into the Greyhound Racing Industry in New South Wales was carried out with due diligence and we are also concerned about the impact of the McHugh report.

Earlier today in question time I asked about Ernie. In fact, until I saw "Where is Ernie?" across the front of the yellow T-shirts of the people at the greyhound protests the other day I knew nothing about him. Ernie featured in the McHugh report and everyone assumed that he was from Dubbo or somewhere like that. It has transpired that Ernie is an American who made a confession 10 years ago in an old report compiled by the University of Toronto, Canada, but the McHugh report has treated this as very valid evidence. To me this raises the question of how thorough the inquiry was in questioning the source of the evidence and the allegations being made. I am not questioning that live baiting was occurring in New South Wales or Australia, but it should have been prohibited because it is against the law.

Earlier today I gave notice of a motion for the establishment of a joint select committee to inquire into and report on the future of the greyhound racing industry in this State, in particular the recommendations contained

in the McHugh report on the Special Commission of Inquiry into the Greyhound Racing Industry in New South Wales, and any progress the industry has taken towards compliance with those 80 or so recommendations. The Government has adopted only one of those recommendations—that is, to close down the greyhound racing industry. The terms of reference will include the impact of any future ban on the greyhound racing industry in New South Wales, including transition arrangements, and compensation if there is any, and other related matters. The evidence taken on oath at such a joint select committee would be trustworthy and accurate. That would be very important because this House and the other House can then decide whether they wish to proceed with the Government's planned shutdown of the industry. Many things have been happening.

Yesterday the *Daily Telegraph* published a full-page article on the McHugh report. The article noted that the McHugh report claims that between 13,000 and 17,000 greyhounds are euthanised each year, whereas the Greyhound Racing NSW audit claims that over three years only 504 dogs were euthanised each year. There is a big difference between 17,000 and 504. Where does the truth lie? The McHugh report claimed that 50 per cent to 70 per cent of dogs were killed because they were not competitive whereas the audit claims that only 6.9 per cent of dogs were euthanised because they were not suitable for racing. There is a big difference between 70 per cent and 6.9 per cent. Where does the truth lie? As members of this House we have a right to know the truth. I believe the McHugh inquiry failed to carry out its task—certainly to our satisfaction. I received an email yesterday, Tuesday 9 August, which was also sent to other members of this House, from the Greyhound Breeders Owners and Trainers Association [GBOTA]. It states:

As you are aware, the NSW GBOTA met with the Premier and Deputy Premier today and presented to them a set of guarantees that we believe would ensure greyhound racing in NSW was able to continue in a sustainable, viable manner, whilst also implementing a world leading approach to animal welfare.

Those guarantees are summarised as follows:

- We guarantee total lifecycle management of all our greyhounds including every greyhound unable to race and all retired greyhounds.
- We guarantee a controlled breeding programme, including the immediate restriction of 2000 greyhounds annually for NSW racing purposes.
- We guarantee zero tolerance for animal cruelty, including live baiting, punishable by a lifetime ban for any infringement.
- We guarantee to provide the most stringent, safest racing environment to eliminate avoidable injury.

The guarantees build upon the reform undertaken by the NSW greyhound industry during the past 15 months.

We also advised the Premier and Deputy Premier that we would support independent financial modelling taking place so as to dispel any doubts on our viability position.

Importantly, given whole of life data tracking of every greyhound is now in place, the NSW greyhound industry is able to be held to account, regarding the future management of the guarantees we have presented.

We are disappointed that our guarantee package has not, as yet, been accepted as an alternative prior to progressing parliamentary consideration of legislation banning our industry.

The email goes on to discuss the legislation coming forward, which it has and which we are now debating. I note that that association published a full-page advertisement in the *Daily Telegraph* headed, "Our Commitment to Premier Mike Baird & the People of NSW". The guarantees I have read out were part of that full-page advertisement. I seek leave to table a document produced by the NSW Greyhound Racing Industry Alliance entitled "Rebuttal to the Report of the Special Commission of Inquiry into the Greyhound Racing Industry in New South Wales", dated July 2016.

**Leave granted.**

**Document tabled.**

Under the heading "Summary for the Rebuttal" the document states:

The Greyhound Industry has changed, is changing and can continue to change. Greyhound racing should be given a fair go to change rather than having our sport and industry closed down in NSW on the basis of a flawed report.

In that document the NSW Greyhound Racing Industry Alliance questions the issue of "social licence", which appears to be a new concept Commissioner McHugh raised in his report. The document states:

Recommendation 1 of the Report requires "the Parliament of NSW to consider whether the industry has lost its social licence".

The NSW Greyhound Racing Industry Alliance questions what a social licence is and asks: Is it in the power of the Parliament to grant a social licence? Is it in the power of the Parliament to take away a social licence? How does one get a social licence? It is a prominent concept in the McHugh report, which seems to be novel and needs to be fully analysed. The rebuttal document goes on to say on page 9:

The work of the Commissioner is, by his own admissions, "a value judgement" or prediction about the industry's ability to commit to change and undergo reform. Yet the Commissioner states ... GRNSW has undergone significant change, most of it for the better". Further he adds at Item 1.122 "GRNSW has access to potential funding that previous Boards and management did not and are able to carry out reform that was probably beyond the financial ability of GRNSW before February 2015.

The document goes on to state on page 10:

During the reform period, GRNSW conducted 268 investigations over the 2015-16 financial year. It is our understanding that there are 2 open investigations pertaining to live baiting and charges are yet to be laid.

However, it appears there are more cases of live baiting and the Greyhound Racing Industry Alliance states:

... any practitioner of live baiting [should be] prosecuted and banned from greyhound racing for life.

The rebuttal by the industry contains very positive and encouraging possibilities for the future. That is why I hope the inquiry I seek will be referred to a committee shortly so that members can participate and report to the House. The House can be satisfied then that a full investigation of all the allegations has been undertaken and that the McHugh report is clarified where it needs clarification. The House can then make a deliberate decision before July next year that may confirm the Government's decision or modify the industry in various ways that may be recommended by the committee. I thank the House for the opportunity to share these considerations with members.

**The Hon. ADAM SEARLE (16:39):** I speak in opposition to the Greyhound Racing Prohibition Bill 2016. At the outset I note that in respect of divisions during this debate the Labor Party has made an informal arrangement to grant a pair to The Greens at their request on account of the absence from this Chamber of the late Dr John Kaye, MLC, and the fact that the party has not nominated a replacement. Pairing is an arrangement reached between the major parties—the Government and the Opposition. For example, in the Australian Senate such an arrangement does not extend to the crossbench, as I understand it, or anyone else. However, the Government has decided previously to grant a pair to The Greens for Dr Kaye. This debate has a slightly different constellation of those supporting and those opposing this Government measure. Given the unusual circumstances surrounding this debate, and this bill only, the Opposition has entered into that arrangement informally with The Greens.

In response to some contributions made earlier in the debate, if elected to government the Opposition has committed itself to implementing the State's first ever animal welfare plan. The plan would dramatically strengthen the welfare of domestic, agricultural and native animals across the State, including by banning puppy factories and the sale of puppies in pet shops. The Opposition does not and would never condone animal cruelty, and I think that is a common view across this Chamber. We can all agree that the revelations of what has occurred in sections of the greyhound racing industry fall well below the standards acceptable to a civilised society. They must be improved upon, and the people involved in those activities should be hit with life bans from the sport and, of course, time in prison. The Opposition would support those approaches, but it does not support a total ban on the industry as proposed by the Government.

We understand those who come to this debate are motivated primarily by concerns about animal welfare. However, we think a more appropriate approach to the issue would be to put the sport on notice and to demand an action plan to implement the road map of 79 recommendations made in the special commission of inquiry conducted by the esteemed former High Court justice, the Hon. Michael McHugh, QC, rather than to take the blunt approach of wiping out the entire industry.

The Opposition is concerned about the welfare of the animals likely to be destroyed as a result of the ban. This is not to downplay the documented abuse of animals by the industry. We know that animal welfare organisations, the RSPCA and animal shelters are struggling, and in fact are currently unable to rehome the animals that need rehoming—not only greyhounds but including greyhounds. Given that the industry involves up to 12,000 greyhounds, and that if this legislation is passed it will close in less than one year, I do not see how, even with the greatest of goodwill, all 12,000, or even a reasonable proportion of them, can be rehomed. Therefore, this measure is likely to lead to the mass destruction of otherwise healthy animals, and the Opposition does not support that approach.

That is a symptom of this Government's headlong rush down this path. The Opposition could understand the Government introducing legislation designed to implement the McHugh road map and to be a sword of Damocles, as it were, containing provisions allowing for the closure of the industry if it did not measure up in a reasonable time frame to the exacting standards rightly expected of it. Such an approach would no doubt have been met with much broader support in this Parliament than have been the current measures. This hurtling rush by the Government will lead to consequences that will be detrimental to animal welfare in the way that I have identified.

The Opposition is also concerned about the thousands of people whose working life and livelihoods are dependent upon or substantially connected to the greyhound racing industry in New South Wales. I am referring to people in every town and region across the State, but predominantly in rural and regional areas and often in disadvantaged areas where displacement jobs are harder to come by than in Sydney. The Government has not made any provision for the impact on people whose livelihoods will be lost as a result of this legislation. This stands in stark contrast to the approach of other State governments and, indeed, Federal governments. When the Hawke and Keating governments of the 1980s and 1990s reduced tariffs and implemented significant changes to the manufacturing industry, they spent tens of millions of dollars on retraining and relocating those affected adversely by these winds of change. When the Carr Government engaged in the restructuring in and phasing out of the timber industry in this State in the 1990s, it made a similar level of commitment to the restructuring and transitioning of affected workforces and businesses.

I note the contribution of Dr Mehreen Faruqi earlier in the debate in which she touched on the fact that government assistance could help people transition, but there is nothing in this legislation that addresses that issue. In fact, the only mention of money is in clause 29, which provides that compensation, broadly defined, is not payable by or on behalf of the State because of the enactment or operation of the Act or any statement or conduct relating to the enactment. However, it goes further. The legislation is retrospective because clause 29 (2) extends the blanket extinguishment of any compensation potentially payable to statements, conduct and other matters occurring before the commencement of the section.

The Government is obviously concerned about some legacy issues it is creating, given the way in which it has handled this issue. Apart from engaging in some lip-service at the outset of this exercise of shutting down the industry, the Government has made no real commitment to providing the hard dollars and cents required to assist those who will lose their livelihoods. I acknowledge the Hon. Mark Pearson's view of people engaged in the industry, and he is entitled to that view. However, it is one thing if industries contract or become extinct because of economic forces, but it is another if governments make deliberate decisions and thereby shut down or adversely impact whole industries. It is incumbent upon governments and parliaments to be cognisant of the human cost of the enactment of legislation, and to address the impact squarely rather than as an afterthought.

The special commission of inquiry's website has a question and answer document that includes a question asking, "What support is the Government providing for owners and trainers impacted by these changes?" The answer states, "The Government will soon announce a detailed support package to ensure animal welfare and assist the industry in the immediate future." But there is nothing in this bill to hold the Government to that course of action. There has been no statement by the Government putting dollars and cents, or any scheme or arrangement, on the table. For the thousands of people across this State who depend on this industry, either in whole or in part—whose livelihoods are dependent on it and who will be financially impacted, perhaps standing to lose everything they have—this Government remains mute on that issue. It is a scandal that there is not one word in the bill dealing with it.

Estimates vary about the economic significance of the greyhound racing industry. Some estimates put forward by the Greyhound Racing Industry Alliance suggest that the industry makes a \$350 million gross contribution and a \$135 million net contribution to the State economy, and that it employs up to 10,000 persons. By any measure, even if that is only half right, that is a very significant financial component of the economy, and that is a very significant number of people whose livelihoods will be lost. Their livelihoods will not merely be impacted; they will be lost because this industry is not being reduced or curtailed; it is being abolished. This Government has said nothing of any meaning to address the fears and uncertainty those families and those communities are facing, and that is a scandal.

Estimates of how many people will be directly affected by this measure vary. A 2014 Office of Liquor, Gaming and Racing report entitled *Size and scope of the NSW racing industry* states that the greyhound racing industry contributes more than 2,700 full-time equivalent jobs to the New South Wales economy and that up to 64 per cent of those jobs are in regional areas. The report notes that many more people economically participate in the industry as trainers, breeders and owners, and there are also those who work in a volunteer capacity. There are those who work at tracks in various capacities. That includes people who work in bars or in providing hospitality; that is, people involved in that cluster of support services that attend the industry. The report puts the number of people participating in the greyhound racing industry at more than 15,000, of whom more than 13,000 are involved in producing racing dogs.

The report from the NSW Greyhound Racing Industry Alliance tabled by Reverend the Hon. Fred Nile and dated 21 July 2016 puts the number of economic participants in the industry at 10,000-plus. Again, whichever number one chooses, this legislation, if enacted, will directly adversely impact the lives of those individuals and families—costing many of them, if not most, everything they have financially. To take that step while making absolutely no provision for their economic future, for any potential safety net, for any retraining opportunities

through TAFE or other service providers—a step that will economically deprive these families, regions and people of what they have without providing any alternative for them—is a scandal in human terms.

It is a matter of record, which those opposite will no doubt be cognisant of, that nearly three-quarters of participants in the industry reside in regional locations, mostly in the areas currently represented by The Nationals—or, should I say, "The Notionals", the party that notionally represents rural and regional New South Wales. Their constituents are crying out for help. The Government, with the support of The Nationals, is taking this step to shut down their industry while providing them with no safety net. I note that some Government members intended to participate in this debate. I hope they will prove me wrong and speak up about this, but it is notable that to this point we have heard only from the Leader of the Government, who is burdened with the carriage of this decision of the Premier and Deputy Premier in this place because they do not want to square up to it in the other place, at least not initially. It is the constituents of The Nationals members who will be most detrimentally affected.

**The Hon. Duncan Gay:** That is very bitter.

**The Hon. ADAM SEARLE:** It is not bitter.

**The Hon. Duncan Gay:** None of what you are saying is true.

**The Hon. ADAM SEARLE:** Where is it stated in the bill that the Government is making financial provision for these people? It is not in the bill. This failure to make provision against the human cost of what the Government is doing is scandalous. I am looking forward to the Minister's reply.

**The Hon. Duncan Gay:** You should have listened to my second reading speech.

**The Hon. ADAM SEARLE:** I did. I listened very closely and it contained no reference to the Government's financial commitment to the thousands of people who will lose their livelihoods. It needs to be in the legislation for the community to have confidence that this Government will follow through on the statements it has made.

The statements the Government has made hitherto have been thin. The Government has said it will assist the industry in the immediate future. Which parts of the industry? How much? What will be the criteria for gaining this assistance? Will assistance be available to everybody who loses out economically? Will it be available to those people who lose everything they have? How much do they stand to gain from the Government's assistance package? Will there in fact be a government assistance package? When will this be announced? These are matters that should have been thought of, that should be in the public domain, and that should at least be touched upon in the legislation now before the House.

The Opposition not only has opposed the measures in the bill for the reasons I have outlined but also has taken the step of introducing, in the other place, its own bill to address a number of the concerns raised by the McHugh report. The Opposition will be moving the second reading of that bill in the other place tomorrow. We urge the Government to put some flesh on the bare bones of its commitment to those who will lose out economically. We also note that there is community concern about the potential for a greedy land grab of the tracks that will be left unoccupied as a result of the shutdown of the industry. I note that the Premier has said that these lands will remain in public ownership and use.

**The Hon. Niall Blair:** I said it too; I said it yesterday.

**The Hon. ADAM SEARLE:** I note that the Minister for Primary Industries also said that. But, again, that commitment is not in the bill. Why is it not in the bill?

**The Hon. Duncan Gay:** Because he is a man of his word and he gave that commitment.

**The Hon. ADAM SEARLE:** Why would the Premier not include it? I am afraid that is not necessarily good enough for the Parliament. These are two very significant omissions that would be very easy to address—and perhaps we should address them if we get to the Committee stage on this bill. The Opposition urges all members in this place to think seriously about the human cost of the action being taken. We urge them not to go down this path but to take the more considered path recommended by Justice McHugh. But if the Government intends to take this path, it must make explicit and up-front provision for the human and economic costs of its actions. It is not good enough to do that by simply saying, "We made a promise and we will get to that after the fact." For all the reasons and concerns I have outlined, I move:

That the question be amended by omitting all words after "That" and inserting instead "this House declines to give a second reading to this bill because:

- (a) the legislation is not in the wider public interest because it is a disproportionate reaction to the findings of the Special Commission of Inquiry report into the greyhound racing industry in New South Wales and does not implement the recommendations of that inquiry;
- (b) members of this House have not had sufficient time to read the bill, and to consider its terms and possible amendments;
- (c) the wider community, including those directly impacted by the bill, have not had sufficient time to become familiar with the terms of the legislation and to make their views on the detail of the legislation known to Government and other members; and
- (d) there is no provision for those persons and communities detrimentally financially impacted by the closure of the greyhound racing industry."

I urge all members to support the amendment to the motion now before the House.

**The Hon. TREVOR KHAN (16:58):** I speak in debate on the Greyhound Racing Prohibition Bill 2016. I was a member of the 2013-14 Legislative Council Select Committee on Greyhound Racing in New South Wales that considered issues relating to the industry. I believe the work of that committee was a prime example of the very good work that this House can do. If members—particularly some members of the Opposition—were to read the committee's report they would be well informed about the problems that confront the industry. I will talk further about the committee in response to comments made in the media, comments in emails that many of us have received, no doubt, and comments made in this House. The committee was established pursuant to a motion moved by the late Dr John Kaye in August 2013. The House appointed the Hon. Robert Borsak as chair and Dr John Kaye as deputy chair. The terms of reference required the committee to inquire into the financial viability of the industry and issues relating to animal welfare. The terms were clearly drafted with the cooperation of the Hon. Robert Borsak and Dr John Kaye. It was a Shooters-Greens alliance on that occasion.

**Mr David Shoebridge:** Point of order!

**The Hon. TREVOR KHAN:** It was only a momentary alliance. It indicated that on matters such as this it is not possible to predict that things will run along party lines. Alliances are formed that assist this House, and that committee was one of those occasions.

**Mr David Shoebridge:** They may relate to the substance of the issue.

**The Hon. TREVOR KHAN:** Indeed. The committee's report is helpful for the deliberations of members of this House today. Before I deal with the overall contents of that report, I observe that in this House and in the media reference has been made to a single paragraph about the famous "Ernie". People have sought to entirely discount the report on the basis of the reference to Ernie. In the lead-up to the establishment of the upper House inquiry a report was referred to on *Lateline* on 9 November 2012 that Dr John Kaye was aware of and on which he had obtained information. The *Lateline* report raised allegations of doping in the greyhound industry. It included an interview with a former vet at Wentworth Park, Mr Ted Humphries. He was described by journalist Matt Carney as having worked with greyhounds for 42 years. In the interview he dealt with the issue of doping. The following exchange occurred towards the end of the interview:

MATTHEW CARNEY: At the back of Ted Humphries's clinic, another industry secret is revealed. This dog—

The vision showed a black greyhound—

is just two years old and the E marked on its head means it will be euthanised, killed because it didn't run fast enough.

Then the camera turned to Ted Humphries. He said:

He was just too slow to be competitive. Two seconds slower than he needs to be which makes him about 100m behind the rest. Some are like that. They just haven't got the athletic ability.

Matt Carney then said:

Some are put down because they have been injured on the track but most are killed because they show no racing potential or are past their prime on the track. For the first time, the industry has put a figure on the number of greyhounds euthanised each year and it is big.

The report then showed Brent Hogan, who at that stage was the chief executive officer of Greyhound Racing New South Wales. He said:

We believe at present it is around 3,000 greyhounds a year that are euthanised. We understand that that number is a number which is too high. We have set about putting in place a number of actions which will bring that number down to a level which is more acceptable.

Matt Carney, the journalist, then said:

Ted Humphries says the figure is probably much higher. He puts down about 500 a year just at this clinic. The constant need to euthanise weighs heavily on him. He says here at least they can have a humane death but left in the hands of some owners, dogs can suffer a cruel fate.

Ted Humphries then said:

They do it inhumanely. They shoot them or hammer them or throw them off bridges. I knew one particular person who would hang them.

Matt Carney asked:

So they'd hammer them, what do you mean, literally put a hammer on their head?

Ted Humphries, a vet of 42 years experience said:

Yes, bash them with a hammer.

I quote that now because that material, which appeared on the ABC's *Lateline* on 9 November 2012, is entirely consistent with the "Ernie" paragraph in Justice McHugh's report. One cannot dismiss the report on the basis of one paragraph, but a vet from Wentworth Park with 42 years experience gives evidence that is entirely consistent with what Justice McHugh says in his report. Some of us in this place have received emails on this matter. For example, a vet in Victoria said:

As a veterinarian who was heavily involved in the Victorian greyhound industry for the past five years as both a consulting veterinarian and on-track veterinarian—

Just like Ted Humphries—

I fully support this decision. I was required to euthanase up to 10 dogs a day.

To those who seek to pick bits from the report and therefore put together an argument that we should do nothing, I say that the evidence exists to support entirely the findings of Justice McHugh. I turn to another matter that has been the subject of comments in the media, in emails and in this House. Last night the Hon. Robert Brown sought to attack Justice McHugh as some sort of lackey of this Government. His argument was that he was appointed to provide a result for this Government. Nothing could be further from the truth. It is a matter of fact that Justice McHugh was retained by Greyhound Racing NSW to provide it with assistance before the report appeared on the ABC that has led us to this point today. Justice McHugh was picked by the industry to work for it.

**Reverend the Hon. Fred Nile:** By whom?

**The Hon. TREVOR KHAN:** By Greyhound Racing NSW.

**Reverend the Hon. Fred Nile:** By whom?

**The Hon. TREVOR KHAN:** By Brent Hogan. The suspicion about the bona fides of Justice McHugh is not new. I had a great deal of time for Dr John Kaye, but I also thought that at times he delved into conspiracy theories a little too much. That was demonstrated on this matter. On 3 September 2015, Dr Kaye appeared at an estimates hearing into the Gaming and Racing portfolio. Dr Kaye said:

In March of this year you appointed retired High Court judge Justice McHugh to undertake the special commission of inquiry. You did so after he had been appointed by the now comprehensively disgraced board of Greyhound Racing NSW—

I agree with that description—to undertake its inquiry. Were you at all worried about any potential questioning of the credibility of the McHugh special commission of inquiry given where he came from?

I interjected—which I know is a rare occurrence in budget estimates—and said: "You are questioning the credibility of a former Justice?" There was interplay from there.

**The Hon. Adam Searle:** Surely not. I cannot believe it.

**The Hon. TREVOR KHAN:** Yes. Indeed, the Minister responded at least in part:

In February this Government took decisive action that led the nation with regards to holding to account those involved in the atrocious live-baiting scandal. The discovery of emails in recent weeks by Greyhound Racing NSW clearly vindicates the action I took as the Minister to get to the bottom of this by establishing a special commission of inquiry. I have every confidence in Justice McHugh to carry out a thorough inquiry. A special commission of inquiry has the powers of a royal commission and it will help to inform the Government about how to address what I am sure you will agree is an unacceptable practice being conducted within greyhound racing in New South Wales.

Further, the Minister said:

Understand again the action that I took in February has been decisive. We led the way in the country. On Monday 16 February 2015 Greyhound Racing NSW announced the establishment of its own task force to investigate the live baiting claims to be headed by former High Court Justice the Hon. Michael McHugh. They did this in anticipation of the *Four Corners* documentary that was going to air that night. The task force had not even begun its work.

Following the *Four Corners* story and the absolutely unacceptable practice that it uncovered that I have already alluded to, on the evening of Wednesday 18 February 2015 I announced that I had rung each of member of the Greyhound Racing NSW board and asked them to step down. I asked them to stand aside the existing chief executive officer [CEO] and appoint a public servant as the interim CEO and devolve all the powers to him ...

After discussions with Justice McHugh it became clear that full powers of a commission of inquiry were required to leave no stone unturned and to make sure a roots and branches examination was thoroughly undertaken. As such the Government announced on 4 March 2015—a caretaker commenced two days later, just as note for the Committee—that the Greyhound Racing NSW review had been replaced by the special commission of inquiry ...

In short, Justice McHugh was not a pick by the Government; he was a pick of the Greyhound racing industry. Subsequent to that the Government appointed a person who had already been put in place to undertake the investigation. Any suggestion that Justice McHugh is somehow a Government plant is both misconceived and a scurrilous defamation of Justice McHugh.

**Mr David Shoebridge:** He is not opposed to gambling.

**The Hon. TREVOR KHAN:** I acknowledge that we all know Justice McHugh takes quite an interest in the gambling industry, which is not meant as a criticism of him in any way. I turn now to the report. It was clear from our inquiry that the industry had gone to the Hon. Robert Borsak seeking assistance. There is no criticism of the industry or of him in that regard. It is also clear that the industry as a whole, comprising Greyhound Racing NSW and various industry bodies, including the Greyhound Breeders, Owners and Trainers Association, the Metropolitan and Provincial Greyhound Clubs Association, the Greyhound Racing Clubs Association and the Greyhound Action Group NSW, got together to try to convince the upper House committee that the industry was in dire straits. In that regard, Brent Hogan spoke to a joint submission that they had prepared. He said:

It is the view of the industry that the New South Wales greyhound racing industry is not viable in the short to medium term and certainly not sustainable in the longer term. This is the collective view of the five bodies included in the joint industry submission and merely expands upon the conclusions of Alan Cameron in his 2008 review of wagering and racing in this State.

The Cameron review was ordered by the former Labor Government and it made findings that the greyhound racing industry was in financial strife. I note that Mr Brenton Scott is in the gallery. He gave evidence and said:

Greyhound Racing NSW manages an industry with increasing capital development needs, high workplace and safety requirements, increased macro marketing demands and a racetrack infrastructure that many would consider outdated when compared to the track presentation of our Victorian counterparts. These issues are very much on the Greyhound Racing NSW radar but can be addressed properly only with an influx of funds.

The issue could be addressed only with an influx of money from somewhere. Indeed, the group's joint submission called for Government compensation of \$154 million to the industry. Why? It is because industry infrastructure was so poor that without that money it was not capable of improving its facilities. The group certainly also wanted the inter-code agreement changed. Government members, Opposition members and the Hon. Robert Borsak who served on that inquiry were not prepared to countenance that because it was clear the industry had entered into the agreement voluntarily. It was clear that both the thoroughbreds and the trotters were never going to agree to renegotiate it. That was the reality and that is why we could not support that call.

Now the industry says it can change and survive. But only two years ago the industry said that it was on its knees. It said that within five to 10 years it would be out the door. Only two years ago the industry asked for \$154 million and said that it needed the inter-code agreement changed. But not one of the committee members was prepared to countenance that. How do we get around that? How do we now say we are going to burden Greyhound Racing NSW with some enormous additional bureaucracy to oversight what has to happen without giving it more money? In reality, Greyhound Racing NSW had already proposed the closure of 19 tracks. Chapter 26 of the McHugh report outlines what it proposed to do to racing in country New South Wales. Greyhound Racing NSW wanted to gut it and it proposed to provide no compensation to owners, breeders and trainers in country New South Wales. They would have been shut out of the industry under the proposal being advanced by the industry.

This is a terrible predicament for the people involved. I am certain it is not a predicament that any member of the Government finds in any way attractive or palatable. This is a tough business, but it is what government is about. We have to make hard decisions. We have to do the right thing, and this bill is a demonstration of what we must do when faced with evidence, as opposed to emotion or the political opportunism that the Leader of the Opposition is running in the media. The Government is doing the right thing. We are doing a hard thing but Government members—Liberal and Nationals—see that this is the only way to proceed effectively.

**Mr DAVID SHOEBRIDGE (17:18):** I do not have to read much past the explanatory note and the overview of the Greyhound Racing Prohibition Bill 2016 to understand why, as a Greens member of Parliament, I support it 100 per cent. The object of the bill is to close the greyhound racing industry in New South Wales on 1 July 2017, which is something that The Greens and many in the animal welfare sector have been campaigning for over many years. I associate myself with the words of my colleague Dr Mehreen Faruqi and the principled, committed and hardworking way in which she has made the case to support banning the industry. She has worked productively to achieve that outcome.

However, I cannot commence my contribution to debate on this bill without acknowledging the work of my former colleague Dr John Kaye. A little over two years ago John brought to our party room a proposition that The Greens get behind his private member's bill to close the greyhound racing industry in New South Wales. He then argued his case. I must admit it was difficult for us to get our heads around there being no possible way of reforming the industry because the animal welfare issues were so systemic and the governance was so poor and complicit. It was difficult to understand that an industry could be at such a nadir and doing such appalling things that it needed to be shut by legislation. But John made his argument in our party room and it was a compelling argument based upon the evidence to hand at the time. We got behind him and recognised his leadership.

Less than two years ago John ultimately put a private member's bill to Parliament, which was the first bill in this place seeking to shut down the greyhound racing industry. As in so much of his work, John showed enormous foresight. He got to the nub of the problem and understood the evidence certainly before me, and probably before the majority of members in this House and any Parliament in the country. But nobody works alone. John had a committed team behind him in his staff. I particularly note Lauren Walden, who worked in his office on this issue for years and is a passionate campaigner on animal welfare. She cannot be here today although I know she would like to be. Every parliamentary office is a team, and Kelly Marks and Katherine Samiec worked together as part of a committed team to bring about the end of greyhound racing in New South Wales. I am sure that each of those team members is watching this debate and wishing John could be part of it. They all deserve credit for what they did.

However, it is wrong to suggest that this bill is some achievement of The Greens, John Kaye or his office. We have come to this point because, with extreme bravery, animal activists have been out collecting the evidence. With extraordinary tenacity, they have been gathering deeply disturbing video evidence of the extent of live baiting and cruelty in the industry. They have been making a compelling case in the public mind to close the industry. I think what brought the matter to a head was the February 2015 *Four Corners* report on live baiting. When people saw for themselves the cruelty that the industry indulged in on a routine basis the broader public of New South Wales and Australia revoked the social licence they had given for greyhound racing.

Of course, media reports and social media campaigns have their place to move governments to act. I give credit to the Baird Government for instituting the special commission of inquiry undertaken by Justice Michael McHugh. Many people were sceptical of Justice McHugh's appointment. We know he is a punter—that is the fact of the matter—and some people were concerned that he may fall in favour of a gambling industry. Balanced against that concern was the fact that he is one of the most respected High Court judges and has shown consistent judicial independence. He was probably one of the most respected lawyers available to undertake the task, and what a job he did. In this debate many people have referenced his report from the Special Commission of Inquiry into the Greyhound Racing Industry in New South Wales. I will read onto the record some of Justice McHugh's compelling findings. I will start with his findings on wastage because they identify the degree of systemic cruelty in the industry. He said:

The normal life expectancy of a greyhound is between 12 and 15 years. Over the last 12 years, 97,783 dogs were whelped in NSW. Currently, there are about 6,809 registered greyhounds. A greyhound is eligible to be registered when it is 12 months old. Absent death through misadventure or illness, the average life expectancy of a greyhound indicates that another 90,974 greyhounds should still be alive. Some pups that were whelped in the last 18 months may be within litters, being reared, broken in or in pre-race training and not registered. However, even assuming that none of these juvenile animals (approximately 10,253) has been destroyed, where are the remaining 80,721 greyhounds? What has happened to them?

The answer is that some of them will have found homes outside the greyhound racing industry or been exported interstate or to other countries, or retained by their owners as pets or breeders, or died of natural or accidental causes. But the evidence before the Commission indicates that at least 50% of those whelped—and perhaps up to 70% or even more of them—were deliberately killed simply because they never were, or no longer were, capable of being competitive racing greyhounds.

We are talking about 48,000 to 68,000 dogs. Justice McHugh's findings are based on evidence and no-one has effectively refuted them since the delivery of the report. About live baiting, Justice McHugh found:

This Commission was established following the live baiting scandal that was exposed by the ABC Four Corners program in February 2015. That program showed training tracks where live animals of various kinds were mauled and killed by greyhounds for the purpose of getting the dogs to chase the "tin hare" in races more keenly. Giving a greyhound a "kill" has long been regarded by industry participants as a means of improving a greyhound's performance in races. In evidence before the Commission, it was described as a traditional training method.

The report then recounts:

However, a licensed trainer, who admitted to engaging in live baiting and assisting others to do it at the training track he owned, testified that he thought about 10 - 20% of trainers engaged in live baiting. His training track was a popular venue for those who wished to engage in live baiting and educate their dogs. There was evidence that trainers queued up at the weekend to use his track. His knowledge of the practice and the number of trainers involved in live baiting was obviously extensive. What happened at his track can be regarded as a reasonably representative sample of what has gone on in the industry.

We have heard talk of an industry that understands its problems and can reform. Justice McHugh made findings in relation to just one part of the deception by the greyhound industry and its blindness to the evidence before it. I note the contribution of the Hon. Trevor Khan about the *Lateline* interview and the clear evidence it presented that the industry could have acted upon but failed to do so. Not only did industry participants fail to act: Justice McHugh found they were directly deceptive. Among other things, he said:

One of the disturbing features of this Inquiry was the Commission's discovery that, from at least April 2013 until November 2015, GRNSW had adopted a policy of deliberately misreporting the extent of injuries suffered by greyhounds at racetracks. Furthermore, GRNSW deliberately failed to make available to the public information about deaths of greyhounds at racetracks—both as to fatalities during races and as to dogs that had to be put down by the on-track veterinarian as a result of catastrophic injuries suffered during a race.

That shows the deliberate deception by the industry. A series of vets who were employed by the industry have spoken about that reality. Dogs are routinely killed simply because they are not fast enough or they have a minor injury that is more expensive to treat than it is to kill the dog and get a replacement. That is the way the industry operates. Lastly, I will read from the report what Justice McHugh said about whether the industry still has a social licence—which was one of the terms of reference. Among other things, he said:

The extent of wastage and live baiting suggests that the view of the greyhound as a commercial commodity is also widespread among breeders, owners and trainers. Greyhounds Australasia, the peak body of the industry, has said that in the industry profits have come before welfare. A significant number of owners have exported greyhounds to jurisdictions where animal welfare standards are practically non-existent. GRNSW has conceded to the Commission that in the past its strategic planning for the industry has been weighted towards commercial considerations with animal welfare largely regarded as a hygiene factor.

The reality is that the industry has a dark side. The slaughter of many thousands of purpose-bred greyhounds long before they reach their normal life expectancy may be "just business" for many breeders, owners and trainers. But it is a cruel business. Justice McHugh concludes that the industry has largely lost its social licence—a conclusion that The Greens wholly accept. In this debate the Labor Party is joining the Shooters, Fishers and Farmers Party to support what has been found by Justice McHugh to be a cruel industry with systemic and effectively unregulated animal welfare. Opposition members have given a bunch of spurious reasons as to why the industry should not be banned. They say, "Give it a chance to reform." It has had that chance for years and failed; it has shown no intention to reform. They say, "You are not being fair to the greyhound industry; the industry should be allowed to continue despite the animal cruelty that has been found." The Labor Party has displayed rank opportunism in trying to suggest that this is some attack on the basis of class. Indeed, Labor has got into bed with some of the most unsavoury elements of the greyhound industry to make its case. Not long ago the Leader of the Opposition, Mr Luke Foley, and Senator Sam Dastyari—that working-class hero who worked as a consultant for Hawker Britton—

**The Hon. Walt Secord:** Point of order: I ask that Mr David Shoebridge be reminded of the ruling made by the Deputy President last night about making substantive attacks on members, particularly members in the other place.

**Mr DAVID SHOEBRIDGE:** Wrong House.

**The Hon. Catherine Cusack:** To the point of order:—

**DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order! The Hon. Catherine Cusack does not need to speak to the point of order. If it was with regard to Senator Dastyari—

**The Hon. Walt Secord:** I was referring to the Hon. Luke Foley.

**DEPUTY PRESIDENT (The Hon. Trevor Khan):** Mr David Shoebridge may proceed but he will be called to order if he is in breach of the standing orders.

**Mr DAVID SHOEBRIDGE:** According to a Crikey report, Mr Luke Foley and Senator Dastyari held a joint press conference with Tony Gannon—a prominent trainer in the industry—at the Wentworth Park dog track to whip up opposition to the proposed ban. Mr Foley told the media conference:

It is great to be here with respected greyhound industry figure Tony Gannon.

Is he a respected greyhound racing figure? In a taped conversation after discovering that *Four Corners* had grossly disturbing footage of life baiting, Mr Gannon—who Mr Foley says is a respected industry figure—told the then chief executive officer of Greyhound Racing NSW, Mr Brent Hogan, and I quote:

I would have bashed the [F] out of them and took the camera. I mean, if you know they've got the video, surely you would have done something?

Later in that conversation Mr Gannon said:

Personally, I don't care about dead rabbits. The issue of money is more my concern to keep the industry going.

This is rank, appalling, base opportunism from the Opposition in opposing a hard but ultimately principled Act that this Parliament should be uniting around. No parliamentarian should be joining with the likes of Mr Gannon and seeking to use him to stop good legislation passing through this Parliament. But this is not the first time: Labor has history when it comes to taking hard decisions. In 2013 the Labor Party joined with the Shooters and Fishers

Party, as it was called at that time, to oppose the shutting down of the Game Council of NSW. That was despite the systemic failings of the Game Council having been identified and gross concerns about the appalling nature of the absence of regulation of dangerous hunting and shooting by the council. At that time the rank opportunism of the Labor Party descended to its calling the Game Council of NSW a union for hunters, forgetting that it was an entirely taxpayer-funded body that should never have been allowed to be established by Labor earlier this century.

Reverend the Hon. Fred Nile has also opposed this bill. I accept it is the personal position of Reverend the Hon. Fred Nile that he opposes gambling but this is a chance to shut down an industry in this State that only survives on the basis of gambling. I do not think that reconciles with his so-called position on gambling.

**Reverend the Hon. Fred Nile:** I want a parliamentary inquiry.

**Mr DAVID SHOEBRIDGE:** I acknowledge the interjection that Reverend the Hon. Fred Nile wants a parliamentary inquiry. We have had the report of Justice McHugh and we have heard evidence, time and time again, about the failings of this industry that survives on gambling and animal cruelty. Hopefully, a majority of members will vote to end this industry effectively on 1 July 2017. On one level it is relatively easy for a member of The Greens to speak in debate on shutting down an industry that is founded upon animal cruelty—it is almost universally supported by our membership and supporters. But I acknowledge that it has taken genuine courage and the expenditure of political capital by a number of members on the Government benches to support this bill. I give credit where credit is due. We should acknowledge the principled position that has been adopted by people who are normally our opponents, and I acknowledge that in this debate.

In conclusion, any industry that depends upon systemic animal cruelty for its day-to-day business is on notice that it can lose its social licence. When the public is informed about an industry that makes its profits from the suffering of sentient beings, that industry is on notice that its social licence can—and, I hope, will—be revoked if it does not change. Systemic animal cruelty should have no place in any industry in this State. I commend the bill to the House.

**The Hon. WALT SECORD (17:36):** As Deputy Leader of the Opposition I make a brief contribution to debate on the Greyhound Racing Prohibition Bill 2016 and speak in support of my colleagues the Hon. Adam Searle and the Hon. Peter Primrose. I state at the outset that I have had only a few hours to examine the bill, but I foreshadow that Labor will introduce its own bill in the Legislative Assembly. It will provide a considered path laid out by Justice McHugh and a way forward to inform the industry, protect jobs, protect dogs and build a better long-term future for the industry. In his second reading speech the Leader of the Government referred repeatedly to the Special Commission of Inquiry into the Greyhound Racing Industry in New South Wales. It struck me with absolute clarity that the Baird Government has conducted a special commission of inquiry into the welfare of greyhounds but it continues to block any move to set up a special commission of inquiry into the treatment of cancer patients at six hospitals in New South Wales. Labor has been seeking a special commission of inquiry into chemotherapy.

**Mr Scot MacDonald:** Point of order: My point of order is relevance. This is a completely different subject. The member should return to the leave of the bill.

**The Hon. WALT SECORD:** To the point of order: Much of the second reading speech of the Leader of the Government related to how the work of the special commission of inquiry informed the consideration of the legislation on greyhounds. I am trying to give context as to how a special commission of inquiry would be very important for those six hospitals with chemotherapy patients.

**DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order! Wide latitude is extended to members during second reading debates, but if that is the Hon. Walt Secord's approach it is stretching the boundaries. I invite the member to keep in mind the long title of the bill. I will rule the member out of order if he continues to refer to six hospitals.

**The Hon. Duncan Gay:** You are on two calls to order.

**The Hon. WALT SECORD:** Bye, bye, Duncan. That is what the Premier says to you.

**DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order!

**The Hon. WALT SECORD:** He is repeatedly baiting me, knowing that I am on two calls.

[*Interruption*]

**DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order! The Hon. Walt Secord will resume his seat.

**The Hon. WALT SECORD:** That was a member of the public shouting out.

**DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order! The Hon. Walt Secord will resume his seat. The Leader of the Government is not baiting the member. Even if the Hon. Walt Secord is baited by a member on the Government side of the Chamber, that does not give him the right either to interrupt the Chair or to engage in argument with Government members. Even with a degree of latitude, the member will confine his remarks to the bill. The Hon. Walt Secord is on two calls to order. In accordance with the traditions of this House, unless the member gets out of control he will remain in the Chamber.

**The Hon. WALT SECORD:** I will end my comments about the special commission of inquiry at that point. The long title of the Greyhound Racing Prohibition Bill 2016 is a bill for an Act to prohibit greyhound racing and to dissolve Greyhound Racing NSW; to amend and subsequently repeal the Greyhound Racing Act 2009; and for other purposes. I am very concerned about the "other purposes" and that is among the many reasons we should not be allowing the Premier to race this legislation through with such haste. One can only imagine that those "other purposes" must refer to the decision to preclude financial compensation from the bill and may extend to the sell-off of the many race tracks around the State, including Wentworth Park, to the Government's greedy property developer mates.

There are no specific references in the bill to any structural adjustment packages for the thousands who work in the industry, such as the structural packages that existed in the 1990s when Bob Carr set up many national parks. There is no mention of the 2,700 direct jobs in the industry or the 15,000 indirect jobs. To give perspective, this is a 22-page piece of legislation. It is a huge piece of legislation, but it is being rammed through with absolute haste. Labor members and the crossbench members need reasonable time to consider the legislation, particularly the so-called "other purposes". That is why I believe Reverend the Hon. Fred Nile's call for an inquiry is a very good idea. Instead, this bill has been raced into this Chamber. But why the haste? The legislation does not even come into effect until 1 July 2017.

Usually, bills that have wide support, multiparty support or unanimous support are given the rare priority of being rammed through the House. But this is not the case with this bill. In fact, we only heard about the legislation yesterday afternoon and the Opposition Whip's office has repeatedly sought a copy to prepare us for the legislation this morning. We only received this legislation at 10.50 this morning—a mere 10 minutes before the commencement of proceedings. This is a very important and significant bill which destroys an entire industry and an entire way of life, and it was received only 10 minutes before this House commenced today. We have not had sufficient time to consider this bill.

Such treatment of an important bill that affects a major industry in New South Wales makes a mockery of the Legislative Council as a House of review. We are here to monitor, assess and scrutinise the Legislative Assembly. We are here to review legislation passed by the Legislative Assembly. We are here to carefully examine legislation. Long-held practice says that this bill should have originated in the Legislative Assembly, where it would have been given due consideration before being referred to us for due consideration. Furthermore, this bill should have been exposed to the community for the usual five days to allow us to give it proper and due consideration.

We all know the phrase: Adjourn for five days. That should have happened, at the very least, following the second reading speech given by the Leader of the Government. That would have allowed our colleague the Hon. Peter Primrose—a seasoned legislator—the opportunity to work with Parliamentary Counsel to draft amendments. Instead, the Government is charging this bill through the Chambers in a single day. One can only assume that this haste is to ensure the Premier's Facebook and Twitter posts—an appetite that he has to satisfy every day. I thank the House for its consideration.

**The Hon. Dr PETER PHELPS (17:43):** When we arrive in this place as parliamentarians we always hope that we will be able to promote good policy which is also good politics. Occasionally we have to promote good policy which is bad politics. Two things that spring to mind immediately are the goods and services tax [GST] and the leasing of poles and wires. Sometimes we have to promote things which are bad policy and good politics—the inevitable elements of pork-barrelling that happen because, quite frankly, winning elections is important. Occasionally we have legislation and regulation that comes before us which is both bad policy and bad politics. Bad policy I will go into later but, in my view, this legislation is bad politics.

The sort of people who get energised by animal rights activism will never vote for us; they have The Greens and the Animal Justice Party to cater to their needs—and there is nothing wrong with that. Some people have asked me how we can support a bill that is supported by The Greens. Is it not axiomatically bad that the Coalition supports something The Greens support? My answer to that is no, and my mind turns back to the very significant reforms we did in relation to campaign finance in this State. But too often, between the Coalition, The Greens and the Animal Justice Party it is a zero-sum game: we cannot assist them without hurting our own base.

I contrast their peculiar and occasionally bizarre policy prescriptions with those held by the large number of people in marginal seats that the Liberal Party holds on the peri-urban fringe of Sydney—that great swathe which we have taken from Putty to Picton and which we hold quite proudly—because there was a period of time when we resonated with what might be called the aspirational voters, the blue-collar conservatives who decided, with the election of the Howard Government, that they would give the Liberals a chance. We say, "Oh, don't worry about them. Greyhound racing is just a hobby; they will move on from that." That is not true for three reasons. First, we would not apply the "Oh, it is just a hobby; they will move on" if we were to ban rugby league. If we were to ban rugby league people would not say, "Oh, we will just move on from that. We will take up an interest in rugby union or the AFL."

Secondly, it is not true because, more so than rugby league, greyhound racing is a participation sport. There is an investment of time and capital in the sport by the owners, the breeders and the trainers; it becomes part of their personae: "I am a greyhound racer", "I am a greyhound owner", "I am a greyhound trainer"—it is inextricably linked with what they are. Thirdly, the "Oh, it's just a hobby; they will move on" is fundamentally disproved by what happened to a large number of our voters subsequent to the 1996 gun law changes. Anyone who worked for a Coalition member in a marginal seat after the 1996 gun law changes knows what happened: they never forget. One wag once said that in politics friends come and go but enemies remain forever. The visceral nature of the anger of gun owners, who 20 years ago were chagrined at the Howard Government, remains, to a large extent, true today. For that reason I think this is bad politics. I also think it is bad policy.

I have read the McHugh report and there are some terrible stories in it. But is this industry so irredeemable that it must be banned? If the 12 apostolic saints came down from heaven and we appointed them to the board of Greyhound Racing Australia, would this industry be so corrupt and unfixable that it must still be banned? The Hon. Mark Pearson said that 10 out of 10 witnesses who were called to the inquiry—nine, actually; one was implicated—said that they used live baiting. I could select 10 former members of Parliament who, if we were to interview them and use their evidence as evidence of a grander theme within New South Wales parliamentarians, we could say are all corrupt. The selective use of 10 out of 10 witnesses who were specifically chosen because they were believed to be dodgy anyway is not a great argument. In fact, McHugh makes that point in the report. He said that what those people said were *ex post facto* rationalisations to cover for their own malfeasance in the industry.

In fact, he put the element of live baiting at between 10 and 20 per cent as a more realistic figure. The consequences that flow from the inevitable passage of this legislation today will be horrendous. Let us look at what this legislation is based on: first, the concept that there was illegality, not by a majority, not by everyone, not by a plurality but by a small but significant minority—10 to 20 per cent; that there is illegality and that there was knowledge of it at the highest levels; that it involved injury to animals during racing; and that it involved wastage rates, which is the polite euphemism for killing off those dogs that cannot run fast enough.

There are many instances in our society of unaddressed endemic problems and systemic failure to correct those problems. One could look at cycling and talk about endemic doping and systemic failure to reject such doping. One could look at the endemic corruption occasioned by subcontinental bookmaking in cricket. One could go back to rugby league and say, "Look at the incidence of alcohol abuse, drug use, match fixing, steroid use, sexual abuse and domestic violence." More importantly, one could say there is also an endemic and systemic problem in relation to the practice of overpaying players, conveniently breaching the salary cap, but no-one is suggesting that rugby league be banned.

On a closer level one could say that the problem is evidenced in the live export trade in sheep and cattle, including the tactics used by animal rights activists, and could lead to calls for the banning of the live sheep and cattle trade. In fact, the Coalition rightly slammed the Gillard Government when it called for a temporary closure of the live sheep and cattle trade industry. Perhaps the greatest threat we face is from the direct analogy and that is horseracing. Is there illegality? Is there knowledge of illegality? Is there injury to animals and are there wastage rates? The answer is yes. For exercise-induced pulmonary haemorrhaging, researchers at the University of Melbourne have shown that 56 per cent of racehorses have blood in their windpipes and 90 per cent have blood deeper in their lungs. Are there deaths in racing? Yes, famously Red Cadeaux in the 2015 Melbourne Cup and the year prior to that Admire Rakti and Araldo. Indeed, the Coalition for the Protection of Racehorses gives a figure which indicates that Australia-wide 127 horses died on Australian racetracks and thousands more have disappeared from the sport in the calendar year 2015.

I note that the Coalition for the Protection of Racehorses has the somewhat revealing and pointed website *horseracingkills.com*, which gives an indication of exactly how objective it is in that regard. If people are agitated about a 30 per cent rate of muscular and ligamentary damage in greyhounds, imagine how they will feel if they get vision of blood pouring out of a racehorse's nostrils? Are there incidences of doping? Yes. A quick Google

search will show allegations of doping with erythropoietin [EPO], cobalt chloride to produce EPO, caffeine, xenon gas and formaldehyde, the practice of stomach tubing and even today the old practice of gingering a horse.

Indeed, in talking about wastage, when a thoroughbred destined for racing is born in Australia its chances of being a successful racehorse are slim. It is estimated that only 300 out of every 1,000 foals produced will ever start a race. That means of 13,000 thoroughbred foals born each year in Australia alone, approximately 9,000 will be considered useless and thousands will end up at the knackers. Of the horses that do race, one Australian study found that approximately 40 per cent earned no money at all and only 13 per cent earned money to cover costs. These figures did not include the initial purchase price. Dr Paul O'Callahan, Chief Veterinary Steward of the Victorian Racing Club, stated that less than 2 per cent of horses actually earn their keep. Ariella Hayek in 2004 in her study "Epidemiology of horses leaving the racing and breeding industries" noted:

Of the twenty knackereries that participated ... three plants processed 200 or more horses per month. Plants that processed larger numbers of horses tended to process younger horses. The managers of these plants suggested these horses tended to be sold to the slaughterhouse as a result of economic difficulties ... [and] also reported slaughtering large numbers of racehorses ... Given the low market value for ex-racehorses, the high costs of care and level of experience required, it is likely that if this large number of horses did not enter slaughterhouses, they would be prone to conditions in which their welfare would be a cause of concern.

I am not suggesting that the horseracing industry should be abolished but the same sorts of arguments that are being made today for the abolition of the greyhound racing industry can and will be made and are in fact currently being made by animal rights activists to shut down the trotting and horseracing industries. Animals are property; they are not persons and the mere fact of sentience does not grant comparable rights to humans. But that is not the view of animal rights activists. Selective culling is vital for breeding. That is why 95 per cent of male calves are castrated and sold for meat. When one is using the coercive power of the State to ban an entire industry that is a pretty big decision to make. I want to quote one paragraph from the report. Paragraph 1.114 states:

It would be surprising if these failings of the industry had not destroyed the community's trust in the industry. Moreover, these failings have occurred in a context where greyhounds in NSW are now primarily, almost exclusively, bred for commercial purposes to race for prize money and to create gambling opportunities. The reality is that, for many, perhaps most, of those who participate in the industry—whether as punters, breeders, owners or trainers, greyhounds are commercial commodities, not animals to be cherished and loved.

Let me take that paragraph and just change a couple of words to show the hysterical temper of this report:

It would be surprising if these failings of the industry had not destroyed the community's trust in the industry. Moreover, these failings have occurred in a context where beef cattle in NSW are now primarily, almost exclusively, bred for commercial purposes—to be killed and sold for food. The reality is that, for many, perhaps most, of those who participate in the industry, whether as ... breeders or owners ... beef cattle are commercial commodities, not animals to be cherished and loved.

It is ridiculous and it is applying a double standard; it is *How Much is that Doggie in the Window?* moralising. Nobody is calling for the live export trade to be banned for sheep or cattle—I certainly am not—except that actually some people are. The sort of people who enthusiastically support the greyhound ban are exactly the same people who want to shut down the live export trade, shut down horseracing and harness racing and, in many instances, believe that ownership of pets is abhorrent. The precedent that this establishes is very dangerous.

In New South Wales we have hunting with hounds. The Sydney Hunt Club exists. Are we going to ban that too? The irony is that greyhounds now could be bred as companion animals and could actually hunt rabbits in the field, but they could not be used for chasing a mechanical hare around a track. The second problem we face—and this is an even more dangerous precedent—is the problem of acknowledging as a conservative Government the concept of a social licence. It is a vague, imprecise method; it is a tool uniformly of the Left. One never hears people say, "Wind farms have lost their social licence" or "the CFMEU has lost its social licence".

We are a party of the rule of law and laws which are rules, not touchy, feely opinions. Social licence is a hammer used by the cultural Left to attack that which is legal but which they dislike—coal, coal seam gas [CSG] and mining—a vague, imprecise tool where any demagogue can claim to be the authentic voice of the people. "So you don't like something; well let's ban it." Why? Because it has lost its social licence. But who determines social licence? Is it just an update of the concept of "the common good" that demagogues and dictators everywhere can use to justify their actions as "the will of the people"? Has hunting with hounds lost its social licence? What about hunting with firearms? What about plain old ownership of firearms? If the only metric in social licensing is 50 per cent plus one, we can ban anything we dislike.

For the ideologues of the animal welfare extremists, this is just the thin end of the wedge. Think for a moment: Does this bill encourage or discourage them? Are they going to roll up their swags and go home and say, "That is it; we have fixed all the problems we have", or are they going to take this as yet another step on their path to ideological purity? This week we had People for the Ethical Treatment of Animals [PETA] calling for Eggs and Bacon Bay in Tasmania to be renamed. These are the sorts of people we are dealing with.

Allow me to move briefly into the realm of prophecy. This bill is a rod for our own back, a rod with which we will be beaten in the future by these activists. PETA or some other animal welfare organisation will recruit someone, probably a bright young woman, to go to a trainer, probably one in rural or regional New South Wales, not be Gai Waterhouse. It will be some trainer in regional New South Wales—maybe old Cec at the Queanbeyan Racecourse. This woman will say, "I really love horses, but I cannot break into the industry. Can you let me in? You do not need to pay me. I just want you to teach me all you know about the industry." Old Cec, who might be doing it tough, might think, "This is great", and take her on. Then every day she will come in miked up and with a hidden camera. Cec, who is not a vet—he goes about what he does based on 40 years of experience and what his dad taught him—might have a few folk remedies. He loves horses, but they are not his living. Some will not run, some will go to the knackery, some will bleed from the nostrils and some will have injuries. In the end, the edited tapes will be handed over to *Four Corners* and we will be back here again.

The argument I have heard is, "This won't be applied to the horseracing or harness industry." Why not? The eye roll from the Hon. Mark Pearson when the Minister started talking about the higher standards and conditions in other forms of racing spoke eloquently about what he really believes about the conditions in those other forms of racing. That eye roll gave the game away. What is the moral precept or the ideological world-view that divides racing greyhounds from racing horses? Is it mere numbers? How much wastage is too much? Is it the historical decline of greyhound racing? If we are talking about the historical decline of industries as a rationale for euthanising them, there are a whole range of non-racing economic industries we could kill off on that basis. Is it simply the number of industry participants—that horseracing is too big to fail? Is it popularity? If it is popularity, that sets a dangerous precedent. Nobody has clearly enunciated exactly why the radical animal liberationists will not use this prohibition as an encouragement, as a propaganda springboard, for their activities in the future.

During his contribution, the Hon. Peter Primrose quoted Coalition members at length. What he failed to acknowledge was that there is also dissent within the Labor Party. I will not go into too much detail, but this whole idea that "disunity is death", that we should remain a Punch and Judy show where we whack each other over the head rather than let a plurality of ideas and a Socratic discourse take place, is, I think, abhorrent. What happens is that we legitimise a system where politicians are absolved from the necessity of thought and consideration of public policy issues.

I want to leave everyone with a thought experiment. If the Premier had come out and instead said, "We are not going to ban the industry; we are going to work on a reform package", who seriously believes there would have been a groundswell in the Coalition parties to then ban the industry? My concern is not that people have strong views on this matter. My concern rather is that we are invoking the full suite of coercive powers of the state, violating freedom of association, freedom of action and ownership of property, based on no strong views whatsoever—a lackadaisical authoritarianism which I cannot and will not support.

**The Hon. MICK VEITCH (18:03):** I rise to speak on the Greyhound Racing Prohibition Bill 2016. The banning of the greyhound industry has sent shockwaves through parts of regional New South Wales. I believe the shock is—and this is quite separate from the issue of whether or not one supports greyhound racing—in response to the rashness of the decision and the nature of the decision: the way it was announced and the way it will be implemented. The decision will have repercussions for many in country New South Wales, not only for greyhound breeders, owners and trainers but also for the workers who rely on the greyhound industry to help put food on the dinner table and for the many small business operators in those communities.

As I said, people can have their own views about the merits of the Government's decision and the accuracy of parts of the McHugh report, but the real shock here, for me, is in the process and what the implementation of this policy will look like. The Government has a poor record on implementation and the Opposition will be keeping a close eye on the rollout of this industry closure. No doubt others will also be closely monitoring the implementation of the legislation. If the Government gets implementation of this policy wrong—and I have no confidence in its ability to get it done properly—we will have a calamitous situation where animal welfare, people's livelihoods, and rural and regional communities will all be damaged.

How is the Government going to safely, humanely and hygienically terminate the hundreds—or perhaps thousands—of dogs no longer wanted or needed? Not every greyhound will be rehomed; not every greyhound can be rehomed. The RSPCA is already operating at capacity—if not above capacity—and is without the resources to deal with the expected influx. The RSPCA and the Animal Welfare League will require significant funding to resource their role during the transition period to July 2017. The Government must provide these organisations with the resources they will need to implement its policy.

There are so many questions left unanswered by the decision beyond what happens to the greyhounds. The Government assures us that the public land that has been used for hosting greyhound racing will not be sold off. But the community remains rightly sceptical. Look at what has happened with Wentworth Park, for example. Just weeks before the Premier's announcement to shut down greyhound racing in New South Wales, the

community trust board's term came to an end, and a paid administrator was appointed to the role by the Minister. UrbanGrowth NSW then started changing plans and added Wentworth Park to The Bays precinct—just as development proposals from the private sector were rejected.

I now turn to a matter raised by other members during this debate, although I will certainly not be as eloquent as the Hon. Dr Peter Phelps in discussing it. I think this House needs to have a closer look at this concept of social licence. Many others have spoken about this, but I think we need to look particularly at which industries are affected by social licence—and what impact this will have on the Government's policy decisions. The term "social licence", which has been bandied about by Premier Baird and Deputy Premier Grant when talking about the greyhound racing issue, is an untried and almost academic concept that is now creeping into the Government's vernacular. The concept of "social licence to operate" is open to subjective interpretation. My understanding of it will be different from that of the Premier, from that of the Deputy Premier and, probably, from that of the Hon. Dr Peter Phelps.

Because of that, a social licence is something that can be removed at will, on a whim, or as the result of a hunch. I know the greyhound decision and its use of the social licence concept has sent shudders down the collective spines of any industry that involves animals. Welfare must always be a priority, but the way this Government has treated one industry, and the process through which it has removed its licence, does not augur well for any industry that involves animals: harness racing, rodeos, thoroughbreds and the entire meat industry in New South Wales—even pet ownership.

When we are dealing with animal welfare, we are dealing with a continuum that stretches from animal welfare through to animal rights. There are some in the animal rights world who are of the view that pet ownership is akin to animal slavery. We need to decide how far along that spectrum we want to go. The boundaries are vague and ill-defined. We need to be careful when politicians of any political persuasion start using vague political—almost philosophical—concepts such as "social licence to operate" in defending or even attacking a policy or an issue.

I have been reading a number of articles on the issue of social licence, and I urge other members to do so if they get the time. A May 2015 article from the Business Council of British Columbia tackles the concept and raises some questions, including how the "community" granting consent to operate is defined; what process, if there is lack of consensus in the community, validates any decision-making on behalf of the community; and, in the absence of a political process, what represents an adequate level of consent. The Baird-Grant Government's use of the social licence concept may have opened a Pandora's box, and country communities in particular—and indeed the entire agricultural industry—should sit up and take notice of the unfolding of this debate.

As I have said, my main concern here is process. I can assure the House that the rollout of this industry closure will be closely followed by the Opposition, particularly the implementation and the transition to July 2017. I am also concerned about the Government using concepts like social licence to justify the closure of the greyhound industry and the ramifications this will have for other industries. I hope the National Party members who maintain they represent their communities do the right thing on this poorly thought out and rushed piece of legislation. Saying one thing in their electorates and doing the opposite when it comes to having their say in Parliament will be dimly viewed by the electorate. Labor stands firmly against this bill and believes there was time, there were options and there was goodwill to make the changes to ensure a greyhound industry in the foreseeable future with stringent animal welfare regulations. I firmly believe the Opposition bill in the other place is a better way forward. As such, I move:

That the question be amended by omitting the word "now" and inserting at the end "this day six months".

**DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order! I have taken advice. It is a dilatory motion. The advice that I have received is that this will be dealt with at the end of the debate.

**The Hon. MICK VEITCH:** I take your wise counsel.

**DEPUTY PRESIDENT (The Hon. Trevor Khan):** It is not mine, but that is what it is.

**The Hon. PAUL GREEN (18:12):** I speak on the Greyhound Racing Prohibition Bill 2016. I note my colleague has spoken for the party, but I felt obliged to put my view on the record given the fact that I have had a deep association with the Shoalhaven area of regional New South Wales and this proposal has affected people in the greyhound racing industry to some extent. The overview of the bill states:

The object of this Bill is to close the greyhound racing industry in New South Wales on 1 July 2017 (the *greyhound racing closure date*). For that purpose, the Bill:

- (a) authorises the Minister to appoint a Greyhound Racing Administrator to wind up greyhound racing in New South Wales and the affairs of Greyhound Racing NSW, and
- (b) enables greyhound racing to continue until the greyhound racing closure date, and

- (c) makes provision for the welfare of greyhounds affected by the closure of greyhound racing, and
- (d) provides for the repeal of the *Greyhound Racing Act 2009* and the dissolution of Greyhound Racing NSW on a proclaimed date after the greyhound racing closure date. I have received some comments as to my party's Christian world view and response to this. It might surprise members to know that the Christian faith has a deep affiliation with animal welfare. It is well known that the British member of Parliament William Wilberforce, who was instrumental in the abolition of the slave trade, was a founding supporter of the Royal Society for the Prevention of Cruelty to Animals [RSPCA]. Apparently on the evening of 16 June 1824 a number of distinguished people including William Wilberforce assembled at Old Slaughter's Coffee House in London. They were called together by the Reverend Arthur Broome, a London vicar, to form a society which would support the working of Richard Martin's Act. His Act was passed on 22 July 1822 and was against cruelty to farm animals—in particular, cattle. The first animal welfare society in any country was established in the United Kingdom. Other branches of the Royal Society for the Prevention of Cruelty to Animals [RSPCA] were soon established, including in New South Wales in 1873.

While I strongly condemn the unacceptable treatment of greyhounds as reported by the Special Commission of Inquiry into the Greyhound Racing Industry in New South Wales, I am deeply disappointed that this bill was introduced in the House this morning. There has been no time to examine it and to consider fully the implications of the Government's proposed ban on greyhound racing. That is unfortunate. Normally the Chamber does not operate in that way; it is the first time that I have seen such a procedure used. It is unfortunate given the importance of the legislation and its implication for people's lives.

The Christian Democratic Party—me, in particular, because I come from a regional area—has strong concerns about the implications of this legislation for not only the Shoalhaven but also other regional communities whose economies rely on greyhound racing to provide local employment. I have a letter from the Shoalhaven City Council to the Deputy Premier and Minister for Racing, the Hon. Troy Grant, MP, which states:

Council recently considered the announcement by the New South Wales Premier Mike Baird and yourself about the plan to shut down this industry as of 1 July 2017. On 19 July 2016 Council resolved:

- (1) To make representations to the State Government and request it reconsider its position and implement a trial period of stronger legislation and voluntary management of the industry.
- (2) Requests the Government fully fund an independent regulatory authority for the industry.

The letter continues:

Council acknowledges the findings of the inquiry and in no way condones any practices involving cruelty to animals, greyhounds or otherwise. However, in considering its position on the issue Council is concerned with the impact on individuals and families who rely on this industry for income support and employment.

Regional employment is one of the issues that I have raised many times in this Chamber. It is very hard to create a job in regional New South Wales, so why would we agree to get rid of 10,000 to 15,000 jobs with this legislation? The legislation is not well thought out. It is a knee-jerk reaction. My colleague Reverend the Hon. Fred Nile has given notice that he will move a motion to establish an inquiry. That will probably be discussed tomorrow. My response to the Shoalhaven City Council was as follows:

I am strongly shocked at the depths of carnage that has been seen within the Greyhound Racing Industry.

I acknowledge the decision made by the NSW Premier, the Hon. Mike Baird, MP, poses strong implications for the racing industry in the Shoalhaven and throughout New South Wales. It also carries adverse impacts to the Shoalhaven's local economy and local jobs, as well as other regional communities throughout regional New South Wales.

Personally I am deeply concerned regarding these potential impacts and will continue to be an advocate regarding these priorities. As I have consistently stated for the record, in a regional economy it is much easier to keep a job than to have to create a new one.

While I condemn the unacceptable treatment of greyhounds, there are many considerations that need to be addressed prior to the closure of this industry.

I note again that my colleague has given notice of a motion to establish an inquiry. I understand that Greyhound Racing NSW has supplied alternative facts and figures that call into question the findings of the special commission of inquiry. The report of the commission states that wastage of greyhounds is 50 to 70 per cent. Greyhound Racing NSW disputes that number and states that in reality it is 6.9 per cent. The commission report states that the injury rate is 21 per cent. Greyhound Racing NSW states that is 11.2 per cent and falling. The report states that the industry is incapable of changing breeding habits. Greyhound Racing NSW states that breeding dropped 46 per cent in the 12 months to the end of June 2016. The report of the commission of inquiry states that 10 to 20 per cent of trainers use live baiting. Greyhound Racing NSW states that only two people have been jailed and one person has been suspended.

Most members have said that those who have been doing the wrong thing by the industry and who have committed a crime should do the time. I think that the disparity between the facts and figures of both sides shows there needs to be further investigation into the issue of greyhound racing, and that is why Reverend the Hon. Fred Nile has given notice of a motion to establish a joint select committee inquiry into the greyhound racing industry

of New South Wales. I call on this House to support that motion to establish an inquiry to investigate this important issue of the findings of the commission of inquiry and what Greyhound Racing NSW has put before us.

At the end of the day, the buck stops with the Government. The Government started this industry, it should have policed its compliance, regulated it and watched over it. The Government must take full responsibility for the failure of this industry to thrive in what it was doing. The body responsible for the regulation of the greyhound racing industry is the Government, so its regulatory failures lie at its feet. The Greyhound Racing Act 2009 effectively gave Greyhound Racing NSW the responsibility for the regulation and commercial activities of the industry. If Dracula were in charge of the blood bank, he would never jeopardise the blood supply he needed for his survival. Obviously, anyone making untoward decisions that would prevent people from being prosperous or from getting ahead of others by engaging in corrupt behaviour would be mindful of how to manage those systems. I do not say that the industry is corrupt, but opportunities for corruption occur when one body is in charge of both commercialisation and regulation.

This morning Brenton Scott advised that the Greyhound Breeders, Owners and Trainers Association told the Government that the industry's regulation and commercial operations should have not been combined; that compliance and regulation should always have been the first consideration in the industry, not the commercial consideration and prize money. The 2013-14 parliamentary inquiry into greyhound racing and the *Four Corners* exposé provided a wake-up call for everyone involved in the greyhound racing industry. Greyhound Racing NSW has made many and strong reforms to the industry and asks simply that the Government work with it to complete the reform process. I note that the Hon. Robert Borsak chaired an inquiry some time ago with the late Dr John Kaye as his deputy chair and made recommendations.

A lot of the greyhound racing industry infrastructure across New South Wales would need to be upgraded. I note that that is part of the issue of the longevity and the long-term sustainability of the industry into the future given that some of these tracks are far from satisfactory. The Christian Democratic Party notes that the Deputy Premier has mentioned the concern about a number of tracks around New South Wales that are not up to standard. While this is true, improvements do need to be made on particular tracks. It has been suggested that the industry wants to create eight to 10 centres of excellence with the ability to generate their own revenue from numerous activities. The location of the centres of excellence would provide a hub-and-spoke model for greyhound tracks around New South Wales where small tracks that are not centres of excellence can interact with large tracks and be maintained through community fundraising efforts. He also noted that representatives from Greyhound Racing NSW met with the Premier and Deputy Premier yesterday and offered to provide an independent financial modelling that would address the concerns of various race tracks around New South Wales.

Last night I was in my hotel room completing not an electronic lodgement of the Census but a paper one, which was fruitful in the light of this morning's news. While doing that I was watching *Jones & Co* on Sky. The show last night was hosted by a passionate Ray Hadley. He spoke about the greyhound industry and his history—a door opening for him to call the dogs. He even mentioned that he had been to Nowra to call the dogs, so he cannot be a bad guy! From calling the dogs he has gone on to be a great football caller and radio announcer on 2GB. We also share a great passion for Bravehearts and I know he is a fond supporter of Hetty Johnston. Last night he was passionate about the greyhound industry, and rightly so. Mark Latham, who was with him, has always been clinical and he mentioned the hundreds of reports that he has read. He also read the McHugh report from the Special Commission of Inquiry into the Greyhound Industry in NSW. I wish to mention a couple of quotes and observations from that show. The first quote from the host is:

The whole McHugh report, and the government's reaction to it, is to suggest that the greyhound industry has a systemic problem. It has some bad eggs, and I would say largely that those issues have been dealt with.

That is a good question. Have they? If they have not, they should be. The second quote is:

The report was flawed from day one, in the cross-section of the people that have been able to contribute to that. The Government has added to that by cherry picking some of the findings to support the conclusion that they wish to run with.

The next quote is:

79 to 80 recommendations made are about the greyhound industry and a way to move forward.

But it seems that none of those has been adopted. The host further said:

The first recommendation says that a logical discussion is needed to decide the fate of the industry whether it has lost its licence at a social and parliamentary level.

That is the point. It is not whether the Christian Democratic Party is for or against gambling. We are champions of anti-gambling for one reason: The by-product of people gambling is family and relationship breakdowns. We sat on the Opposition side of the Chamber when the \$2 million Barangaroo casino site was debated. This is slightly different. If the inquiry does its investigation and ends up there, that is another issue; but the point is that there

should be an opportunity for natural justice and for these people to not have their worlds torn apart. In relation to the gambling aspect of the greyhound industry, people have asked me, "Are you not against this because it is about gambling?"

There is no currency in gambling that is higher than gambling with people's lives. That is what this legislation does. This industry may need closing, but doing away with it is putting people's lives at risk. The Government must, above all things, give the highest consideration to the impact that this closure will have on the lives and livelihoods of individuals across New South Wales. The Christian Democratic Party puts people first. Their wellbeing is the most important aspect of this overall closure. We have higher values. If the Government wants to close down this industry then in my opinion it should also close down other industries such as sex slavery and human trafficking based on the damage they are causing. That is a good place to start.

There are other industries we do not agree with; however, better regulation has been introduced to keep the people in those industries safe and protected. I feel for the people in the greyhound industry. At the end of this debate they will find out if they still have a job, a business or a livelihood. I also have great concern for the over-fifties involved in the industry who have invested their superannuation in the racing industry they enjoy in order to receive an ongoing return on their investment.

Alternatively, young men, women and families have invested heavily, leveraged properties and built infrastructure to make a living from greyhound racing. They have built kennels and fences, and set themselves up for longevity in the industry. Out of nowhere, with little warning, the industry may be wound up. Those families, young and old, are about to be dealt a scathing blow. Overnight their properties will be devalued as demand dries up. The infrastructure they invested in to build a livelihood will be rendered useless. It is rather like the situation with taxi plates. A sudden change in the law created all sorts of problems, devaluing the assets for retirement of some people who had invested in taxi plates.

The debt the families have incurred and investment they have made will more than likely be a liability for many, which will be felt across communities and local regional economies throughout New South Wales. The Government is quickly getting a reputation for destroying the longevity of some people's retirement and superannuation outcomes by interfering with their investments for the future. I make it absolutely clear that my concern is for the welfare of those families above all things. I am concerned for the men, women and children and the ongoing impacts this decision will have.

According to the Australian Bureau of Statistics, with the exception of those over 85, the highest rate of suicide was among men in their middle years, ages 40 to 54. In 2014 men made up three-quarters of the 362 suicides in that age group. In 2016 rates have been particularly stark in men aged 40 to 44, with 18.3 per cent of male deaths in the age group attributed to suicide. Expert psychiatrist Professor Ian Hickie has stated:

There are a group of men who are, as they age, taking their suicidality with them and these are the people driving the increase we see in suicide deaths.

Professor Hickie said that many of these men were employed in manufacturing, construction, farming and mining—fields that, over the past few years, have experienced high levels of redundancies and uncertainty. We are for people, for humanity, for families and for the community.

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (18:32):** As the Minister for Primary Industries, and Minister for Lands and Water, I must address at least two issues that have been raised during debate on the Greyhound Racing Prohibition Bill 2016 and in the media. The first is that it will lead to shutting down farming and the second is the Crown land concerns that members opposite have raised. Animal welfare is a concern to everyone in the community and an issue that the New South Wales Government and our agricultural industries take very seriously. I make it abundantly clear that our primary industries are vastly different from the greyhound industry when it comes to animal welfare.

First, this Government recognises the difference between the basic purpose for the greyhound industry and other animal production systems in our important agricultural industries. The greyhound industry is based entirely on gambling while agriculture provides essential food and fibre for New South Wales, Australia and the world. Agriculture is not a discretionary pursuit. It is not for entertainment alone. It is for sustenance and survival. The two could not be more different.

Our sheep industry provides the wool that keeps millions of people warm. Our beef industry yields the essential protein that builds strength and vitality in Australians as well as populations across Asia and the world. I am sure everyone in this place can agree that our hardworking farmers have a valid and important purpose, and a clear social licence to operate. Without our vital animal industries, consumers would struggle with rising prices and some may even go hungry.

Secondly, and tragically, the New South Wales greyhound racing industry has been exposed for widespread illegal and unconscionable activity including: systemic mistreatment of animals; unnecessary slaughtering; deliberate misreporting; and a culture that has lost the trust of the community. That cannot be said about our primary industries in New South Wales. Importantly, agricultural industries do not have the systemic animal welfare issues that have been uncovered in the greyhound industry. Animal welfare is clearly good business for our primary producers. Animals provide their livelihoods. Farmers tend to their animals with the utmost care. Every industry has its rogue operators but our producers are consistently recognised as being among the best in the world.

Our agricultural industries have a strong track record, over more than 100 years, of working closely and transparently with government to care for animals and to deliver on strict animal welfare guidelines. New South Wales has some of the strictest standards, offences and guidelines for the protection of animal welfare in the world. The welfare of animals in New South Wales, including farm animals, is protected under the Prevention of Cruelty to Animals Act and the related Prevention of Cruelty to Animals Regulation. The penalties in the Prevention of Cruelty to Animals Act can be severe. As a starting point, the penalty for being found guilty of a cruelty offence can reach a maximum of \$27,500 for a corporation, or up to \$5,500 or six months imprisonment, or both, for an individual. Further, penalties for an individual found guilty of an aggravated cruelty offence under the Prevention of Cruelty to Animals Act 1979 are up to \$22,000 or two years imprisonment or both. For a corporation the penalty is also severe—up to a maximum fine of \$110,000.

The Prevention of Cruelty to Animals Regulation also houses an offence for failure to comply with relevant codes of practice or standards in the conduct of an animal trade. This offence contains a maximum penalty of \$5,500 for individuals and \$22,000 for corporations. Current scheduled animal trade codes and standards cover commercial pig establishments and land transport of stock. In addition, the Crimes Act covers offences of serious animal cruelty. A person found guilty of committing a serious act of cruelty on an animal could face imprisonment for a maximum of five years under that framework.

These penalties are strong for a reason. Our community expects animals to be treated in a humane way and expects the Government to crack down on those who mistreat animals. In addition, there are specific, mandated requirements for cattle and sheep, which focus on unacceptable practices relating to cruelty; transport; failure to provide food, drink, and shelter; certain painful procedures; and use of electrical devices. Mandated requirements for pigs, livestock transport and layer-hen housing are already in place. New South Wales is currently working to further advance animal welfare by the development of nationally consistent standards for regulation.

The Australian Animal Welfare Standards and Guidelines are part of a project to convert the existing Model Codes of Practice for the Welfare of Animals—the codes—to standards and guidelines. An important element of this project is to advance animal welfare by the development of nationally consistent standards for regulation. The New South Wales Government intends to adopt the Australian Animal Welfare Standards and Guidelines for Cattle and Sheep as prescribed guidelines under section 34A of the Prevention of Cruelty to Animals Act 1979. This means they can be used as evidence in proceedings under the Act or its regulations.

I am proud to say that animal welfare codes, standards and guidelines ensure that the treatment of animals in our agricultural industries is consistent and, most importantly, transparent. Government and industry are tackling areas for improvement. Our primary producers have demonstrated time and again that they are well placed to implement innovative animal husbandry practices. Of course, there are always areas for improvement and the New South Wales Government is collaborating with our primary industries on solutions.

I will take a minute to highlight some excellent examples of this. Government and industry are using science to tackle identified areas such as the culling of day-old male chicks, the practice of mulesing and the use of sow stalls. The chicken industry is funding research by CSIRO to enable the sexing of chickens in the early development phase in the egg. This will mean that sexing can occur close to point of lay and not require incubating and hatching of male chicks, which are currently being euthanased. With respect to mulesing, there has been a considerable investment by both the Australian wool industry and Government to help sheep producers reduce their reliance on the practice and improve the welfare of sheep.

The industry has fast-tracked its efforts to find an alternative. The Australian Wool Innovation is investing more than \$59 million in health and welfare measures, including \$33 million on flystrike prevention. Considerable progress has been made in changes to husbandry practices. Pain relief is already being used for 77 per cent of all lambs being mulesed, and this number is set to increase over time. Other alternatives such as SkinTraction, laser treatment and liquid nitrogen are in varying stages of research and development or commercialisation. Breeding naturally resistant sheep is the long-term, sustainable solution to managing the risk of flystrike in Australian sheep, and research indicates there are good prospects for this in the longer term.

The pig industry has recognised that the use of sow stalls is no longer supported by the community and it has voluntarily committed to pursue a phase-out by 2017—a world-first initiative. For producers, the implementation of this industry-led initiative involves expensive and complex modifications to their farms and practices. Producers deserve support for making these changes, and I congratulate them on their efforts. I am advised that 70 per cent of the industry has completed the phase-out of sow stalls and we are confident that by 2017 the vision of a gestation-stall-free industry will be realised.

Education and advice are also a key component of strategies to improve animal welfare across all our primary industries. Agriculture, industry and government work closely together on communication campaigns to provide advice and timely warnings to farmers to improve animal welfare. Livestock managers and transport operators receive critical advice on decisions about feeding, mustering, yarding and the suitability of cattle for transport. Advice on strategies during times of drought and flood is also available to ensure animal survival and welfare. Assistance with veterinary advice through the Department of Primary Industries, private veterinarians and Local Land Services helps stock owners to reduce the incidence of disease and potential suffering in their herds and flocks. For example, the cattle industry works closely with Government to prevent cattle tick outbreaks in New South Wales. These ticks have the potential to be the most serious and destructive cattle parasite in this State. The Government spends approximately \$4 million annually on its cattle tick program and by eradicating cattle ticks we are stopping tick fever from spreading and killing cattle.

I emphasise that the State's livestock industries work closely with Government in a transparent and constructive manner to improve animal welfare. The massive contribution of agriculture to the social and economic fabric of the State should not be forgotten. Our food and fibre industries are valued at \$12 billion annually and they employ tens of thousands of people on farms and in processing businesses. They are the lifeblood of the rural and regional economy, and the entire State benefits. In conclusion, animal welfare is a concern to everyone in the community and it is an issue that government and agricultural industries take very seriously. Our farmers are the providers of our essential food and fibre needs and they work continually in cooperation with the Government to ensure the welfare of all animals.

In New South Wales the elements of the animal welfare protection framework are safeguarded under the Prevention of Cruelty to Animals Act 1979 and the Prevention of Cruelty to Animals Regulation, as well as by a serious animal cruelty offence in the Crimes Act 1900. Our farmers have a strong track record of targeting areas for improvement, funding science for solutions and adopting best practice outcomes. They are demonstrably different from the greyhound industry in their basic purpose, their treatment of animals, and their cooperation with government in meeting animal welfare guidelines and proactively targeting improvements. Importantly, this Government is very serious about animal welfare and has tough standards in place, which are enforced by three independent agencies—RSPCA NSW, the Animal Welfare League NSW and the NSW Police Force.

I now turn to another important matter. The Government has said it before but I will restate it for the record: The New South Wales Government is committed to ensuring existing Greyhound Racing NSW assets are used for open public space, alternative sporting facilities, or other community use. Sixteen greyhound tracks are located on Crown land. The use of that land for public purposes will be part of transition arrangements detailed in an industry shutdown plan that will be finalised during the second half of this year. Importantly, the use of assets will be informed by consultation with stakeholders in industry and animal welfare organisations.

Clearly, a particular focus for the industry is Wentworth Park. Prior to announcement of the greyhound ban the Government appointed an administrator of the Wentworth Park Sporting Complex Trust, Jason Masters, for three months as the trust had reached the end of its term. The term of this administrator ends on 26 August 2016. The Government will ensure that there is a strong, competent and trusted administrator in place for Wentworth Park throughout the transitional period. I reiterate that no decisions have been made to change the use of Wentworth Park. No specific changes for the Wentworth Park greyhound racing track are proposed as part of The Bays Precinct Transformation Plan.

I acknowledge there was a query earlier in the debate about why this bill does not provide for ensuring existing Greyhound Racing NSW assets on Crown land are used for community purposes. In response, let me point out that we have an entirely separate piece of legislation that provides for the management of Crown land in this State, the Crown Lands Act 1989. That Act already is being reviewed. Any necessary legislative amendments in relation to Crown lands are best made to that Act directly.

In conclusion, I cannot emphasise enough that the New South Wales Government takes its animal welfare roles and obligations very seriously. Our sheep, beef, poultry and pig industries are well run, well regulated and well enforced. The inherent cruelty in the greyhound industry, which the report of the special commission of inquiry made all too apparent, stands in stark contrast to our professional primary industry sector. The New South Wales Government is committed to ensuring the greyhound racing ban comes into effect a year from now. The

bill demonstrates that this Government will act when it sees breaches and will stamp out systemic and unnecessary cruelty to animals, or other illegal activities—just as the community expects it to do.

**Mr JEREMY BUCKINGHAM (18:46):** I support the Greyhound Racing Prohibition Bill 2016. At the outset I state for the record my support for my colleague Dr Mehreen Faruqi and the late Dr John Kaye, who led the greyhound racing industry debate for many years—in fact, for decades. For a very long time the late Dr John Kaye was a lone voice in Parliament on this issue and he was disregarded by many. But the information he garnered in the community, the principles he espoused and the policies he pioneered are manifested in the bill before the House. It is to his eternal credit that we are debating this bill and credit also must be given to my colleague Dr Mehreen Faruqi. I must also state that this legislation is a credit to the Government. In my inaugural speech I said that one of my key objectives as a member of this House would be to take the opportunity when the Government did the right thing to support it—and I was not being perfidious. This legislation is the right thing.

**The Hon. Paul Green:** It is not opportunism, is it?

**Mr JEREMY BUCKINGHAM:** It is certainly not opportunism. I support the legislation because it is the right thing. We only have to read some of the feedback received by the Deputy Premier from places such as Dubbo to realise that he has demonstrated political courage. The Deputy Premier has a core group in his constituency that is concerned about this bill. As the Hon. Niall Blair outlined previously, there also are some concerns in the farming community about what this legislation will mean. This legislation is a vexed and sensitive issue but I believe that the Government has come up with the right answer.

My colleague Mr David Shoebridge said that there is near universal support for this bill in The Greens. I think there is absolute support for this bill in The Greens. I have not had any feedback from anyone in my party or across the State who has said this is the wrong rein to pull. It is very disappointing to see some of the more progressive elements in the Labor Party not doing what they know is right and crossing the floor. They are saying that this is a bridge too far because it will be a big problem for them down the track when arguing for a restoration of this industry.

**The Hon. Robert Brown:** Not if we have the numbers, mate.

**Mr JEREMY BUCKINGHAM:** I turn now to the issue of social licence, which has been brought up again and again. It was very interesting to see that term raised by the Premier. It is in New South Wales that that concept has emerged in the past 10 years. Amateur historian, the Hon. Dr Peter Phelps, got it wrong when he said that this was a concept that was generated by ideologues on the Left.

**The Hon. Dr Peter Phelps:** I never said that it was generated.

**Mr JEREMY BUCKINGHAM:** He said that it was a vehicle we were using to condemn all kinds of industries we did not like. If he did his research he would discover that the person who created the concept was the late David Clarke, AO, the former chairman of Macquarie Park. That bleeding heart left us—

**The Hon. Dr Peter Phelps:** You are even wrong in that. It was formed in 1972 by a couple of Canadian academics.

**DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order! There will be no more interjections. Otherwise members will be called to order.

**Mr JEREMY BUCKINGHAM:** In the modern context in New South Wales it was Mr David Clarke. When he was defending his community against unwanted coal seam gas mining and coalmining at Poole's Rock—his beloved family farm in the Hunter Valley—he was the person who injected that concept into modern debate in New South Wales. What a great concept it is because we can apply it to so many things: the Government when it comes to greyhound racing; The Greens and the farming community when it comes to coalmining; and so many other things—e-cigarettes, vaping, and those types of things. Should we allow these things to occur in our society? It is a movable feast.

**The Hon. Lynda Voltz:** He is making your argument for you.

**The Hon. Dr Peter Phelps:** Please keep going.

**Mr JEREMY BUCKINGHAM:** Well, it certainly is a movable feast. It is what we find acceptable in society. In 3BC it was quite acceptable.

**The Hon. Dr Peter Phelps:** Who is the "we"?

**Mr JEREMY BUCKINGHAM:** We as a collective, as a group, as a Parliament, as legislators.

**DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order! This is not a conversation. I invite members not to interject or I will call them to order, whoever they are. Mr Jeremy Buckingham will address his remarks through the Chair and not have a conversation with members opposite.

**Mr JEREMY BUCKINGHAM:** In his analysis of Rome and arena games in the republic of Rome, Livy describes what happened at the Colosseum. What happened was absolutely diabolical: they eradicated, they exterminated, entire species from Europe just for the profit of the republic and for the entertainment of the people in Rome. It was an absolute megadeath of species, the extinction of species, and the execution of human beings for the entertainment of the people. The Colosseum is the site of the greatest mass deaths in human history—untold hundreds of thousands, possibly millions of people, were executed there. At the time, 3BC to 50AD, it was all the rage. Now we look back on it with absolute disgust. The social licence does not exist for that type of activity.

Bullfighting, cockfighting, dog-fighting and bear-baiting have been banned in our society. A hundred years ago they were commonplace. Bare-knuckle fighting also has been banned. These things were done for entertainment and now they have had their social licence removed because they do not accord with the standards of the day. These activities are cruel and inhumane and they cannot be made humane. The same thing has happened to other industries, including whaling and sealing. There is no way to harpoon a sentient being like a blue whale in a humane way that minimises the suffering of the animal. Can members imagine that we would harvest cattle in the way we harvest whales, by attaching a harpoon to a ute and pinging away at a beast then dragging it to the ute and gutting it on the spot? There would be outrage, and that is why whaling has been banned in Australia. The ban did not come in hundreds of years ago; it was only 40 years ago that we phased out whaling.

The community moves on when an industry is clearly against community standards. In such cases the community decides not to condone such behaviour by giving it a social licence. The greyhound industry did one thing wrong: It lied about what it was up to. It had the opportunity to reform and it had the opportunity to change. It was subject to lots of reviews and scrutiny. Did it reform its ways? No, it did not. It resisted reform and instead it lied and deceived. Now it is paying the price. The Greens welcome the fact that the Government has introduced this bill. It is not the first sporting industry to be scrutinised. Jumps racing is another case in point. It is another live issue in this country, with Victoria and South Australia still allowing jumps racing, which is incredibly cruel. It is foreseeable that animals can be hideously maimed on the jumps racing tracks and yet it is still allowed in those States. It is fantastic that New South Wales was one of the States that led the way in banning jumps racing in 1997.

There is also a message for agriculture in this. I welcome the Minister's comments about the standards the agriculture sector has to adhere to. But standards are not set in stone for all time; they move and the Government and industry have to move with them. That is why people do not accept live animal exports; even with the best standards in the world we cannot stop animals from being sledgehammered to death on some killing floor in Vietnam where Australia has no control over standards. There is also a message for the horseracing industry: Be in front of the curve and minimise the harm, otherwise the industry will be subject to the same sort of scrutiny. The greyhound industry was not able to reform. It failed to address systemic and endemic failures. It lied and deceived. As the Special Commission of Inquiry into the Greyhound Racing Industry in NSW report found:

This is an industry whose members have not only condoned but participated in the mass slaughter of tens of thousands of healthy greyhounds simply because they no longer are, or never were, able to compete against other dogs.

The inquiry also found:

It is an industry where ... many trainers appear to prefer cheap and sometimes painful methods of treating greyhound injuries instead of using the services of qualified veterinary surgeons.

The key thing is that the Prevention of Cruelty to Animals Act—and I am not talking about rights; I am talking about basic welfare of sentient beings—has as its objects that we must prevent cruelty to animals and promote the welfare of animals by requiring a person in charge of an animal to provide care for the animal, to treat the animal in a humane way and to ensure the welfare of the animal. It is clear that the greyhound racing industry cannot fulfil these obligations and that the industry has lost its social licence. The Greens commend the Government for introducing this bill.

**DEPUTY PRESIDENT (The Hon. Trevor Khan):** I will now leave the chair and the House will resume at 8.00 p.m.

**The Hon. LYNDIA VOLTZ (20:01:0):** Like my colleagues I oppose the Greyhound Racing Prohibition Bill 2016. The Premier has often quoted Dr John Kaye with respect to banning the greyhound racing industry, but I wonder whether that is the driving force he claims it to be. John was certainly opposed to greyhound racing, but in his dissenting report to the Select Committee on Greyhound Racing in New South Wales John did not call for

the closure of the industry; he called for significant reform. Indeed, John told me that his last conversation with the Premier involved that great love of his life—other than Lynne, of course—and that is the fight to save TAFE.

Whilst John and I agreed on most issues, particularly TAFE, John and I disagreed about greyhound racing. He would often get quite cranky with me. John was genuinely motivated and had an overarching interest in animal welfare. While I would never want any undue harm to come to an animal and, like my colleagues in the Labor Party, believe that animal welfare should be paramount, my experience of greyhounds was formed through a lifetime of training greyhounds and night-times spent at dog tracks around the State—an education few around this Chamber appear to have received.

My father has always trained and raced greyhounds. They formed part of the menagerie of animals at our house in Birrong that included the sheep Harold, the chooks and our old farm dog, Maggie. Some of these aforementioned animals may have been known as dinner at some stage—certainly not the dogs, of course. I have seen what happens at trial tracks and dog tracks; I know how careful greyhound owners are with what are quite expensive athletic animals. I have seen great affection and care taken of greyhounds that I rarely see replicated in some of the poor animals that seem to be perpetually locked up in someone's backyard where they are barely walked or noticed. I am painfully aware of how many times owners sit in vets waiting rooms.

I do not doubt that there are some people in the greyhound industry who have broken the law, but I defy anyone to find an industry in which there is not someone abusing the system. These people should have the full force of the law directed at them. Live baiting is not a traditional or accepted way of training dogs, but if this is widespread I can never recall seeing it. I am still at a loss as to why the ABC did not provide the evidence it had at the time of the hearings to the select committee. It should be noted that the RSPCA inspector came before the Legislative Council Select Committee on Greyhound Racing in New South Wales. The chair asked the RSPCA inspector:

Greyhound Racing NSW has been subjected to a great deal of criticism not only from animal welfare groups but from all parts of the industry. I am trying to understand to what degree it is successfully fulfilling its requirements in relation to any understanding it may have with your organisation. You said earlier that you had received a few complaints about live baiting. I think you said that there were not many complaints. Did any of those complaints follow through to prosecution?

**Mr O'SHANNESY:** No, they did not. In one investigation the information we had was anonymous at best—a tip-off. We conducted an inspection of the property and were not able to locate animals of the prescribed species, which was the basis of the complaint.

**CHAIR:** Those animals would have been rabbits.

**Mr O'SHANNESY:** Yes, rabbits, and there was a suggestion that possums were also involved. There were certainly no animals on the property and no evidence that they had recently been kept there.

**CHAIR:** You mentioned in earlier evidence that you investigated about 15,000 complaints, and obviously a proportion of those would have been prosecuted. About 79 related to greyhounds. That is correct?

**Mr O'SHANNESY:** We received 79 complaints relating specifically to greyhounds.

**CHAIR:** That is what I am saying. There were 79 out of 15,000.

**Mr O'SHANNESY:** Yes. That 15,000 relates to all species of animals. There were 79 that specifically related to greyhounds.

McHugh's statement that the practice is widespread is at odds with the evidence presented to the select committee. There would appear to be a great divide. I ask how 30 RSPCA inspectors responsible for animal welfare missed any evidence of live baiting? I note that the McHugh report states that there were 10 trainers called before the inquiry who were presented with evidence and accused of live baiting. There are over 6,000 owners in the training industry, over 2,000 owners and trainers, another 1,400 trainers and just over 1,200 breeders. I will not go into the catchers because to some extent that is irrelevant.

Given the numbers of people in the greyhound industry, why were the 10 trainers identified by Mr McHugh as practising live baiting called to give evidence before the inquiry? There are 6,000 people who could have been called. They could have called my dad or Keith Walsh. These people have been involved in the greyhound industry for nearly 50 years. If he wanted to get to the bottom of what really happened why did he not ask those people with 50 years experience in the greyhound racing industry? I suggest he did not because he wanted to call the 10 people he knew would suit his report.

I admire the Hon. Trevor Khan, but he stated in this Chamber, "Do not worry about the things that are incorrect in the McHugh report." I am sorry, but if an inquiry is amassing evidence, why is an incident in Toronto noted that is not referenced? How could Mr McHugh put unreferenced evidence into a report? Time and time again the McHugh report fails to reference the source of information. I am not saying there was not evidence, but I am contesting the claim that this is a widespread practice across the industry.

That brings us to a fundamental question for those on the Government side of the Chamber: If you are interested in animal welfare, why is the New South Wales Government dealing only with the greyhound industry? Why is it that greyhounds are claiming all its attention? If the RSPCA inspector found no evidence and greyhounds represented a tiny proportion of the complaints received, why is the Government not concerned with the balance of the 15,000 complaints received by the RSPCA? We have sat here and heard selective horror stories about the greyhound industry. These stories are also reported across other industries. As the Hon. Peter Phelps has noted, horseracing is one of those industries. The Coalition for the Protection of Racehorses states:

Wastage is the term used for horses that exit the industry. Wastage includes both the breeding of thoroughbreds that never make it to the racetrack and thoroughbreds leaving the racetrack once their racing career has ended ... When a thoroughbred destined for racing is born in Australia, its chances of being a successful racehorse are slim. It is estimated that only 300 out of every 1,000 foals produced will ever start in a race. That means of the 13,000 thoroughbred foals born each year in Australia alone, an approximate 9,000 will be considered useless and thousands will end up at "the doggers".

Why was that evidence not examined by Justice McHugh? Why, if this Government is so interested in animal welfare in particular industries, is that evidence being ignored? Dr Paul O'Callahan, the chief veterinary steward at the Victoria Racing Club, states that fewer than 2 per cent of horses earn their keep. That sounds like the claims that the Hon. Mark Pearson has been making about the greyhound racing industry. I am sure that if we asked the Hon. Mark Pearson, he would say that horseracing should be banned as well.

Does anyone in this Chamber believe that there is not a problem with overbreeding across the pet industry, particularly with show dogs and rarer breeds such as basenjis? Perhaps members of this Chamber should note the report in the *Sydney Morning Herald* that more than a quarter of a million healthy cats and dogs are destroyed in Australia every year because there are not enough homes for them.

Perhaps the New South Wales Government could turn its attention to the Animals Australia investigators who attended rodeos around Australia. Their website states that they had witnessed "the fear and distress that permeates the arena as animals are taunted in the name of entertainment". The same website cites a recent story from the ABC's *7:30 Report* which "exposed some of the cruelty documented, reinforcing the need to end this cruel and outdated sport". Maybe this is one of the tough decisions this Government is not prepared to make. It is fine for them to get up and say, "We are making the tough decisions on greyhounds", but why are Government members ignoring this evidence? Why has the greyhound industry been singled out?

If they are interested in animal welfare, there is a serious flaw in the New South Wales Government's approach. Out of nowhere, with no intent to bring those responsible for abuse of dogs to account, the Government has shut down the industry, leaving thousands of people and thousands of dogs in limbo. Yet the Premier has chosen to ignore any evidence, across the board, uncovered by the Government's own animal welfare regime.

Members on the Government side of the Chamber have attacked the Labor Party for wanting to bring in a rigorous approach to animal welfare. I know that people like the Hon. Mark Pearson have approached the Government a number of times about giving the authorities much greater investigative and police powers in the area of animal welfare. Surely, if the main criterion is animal welfare, that is where the Government should start? Should the Government not start with the reforms and recommendations put forward by people who work in the field of animal welfare? Are those not more important?

The late Dr John Kaye, in putting in his dissenting report to the greyhound racing inquiry, made recommendations about what the Government should be doing. He made significant recommendations about the regime regulating breeding—and breeding is an area I think we can all agree on. Just about everyone who has looked at breeding has said that litters should be limited, not only for greyhounds but also for dogs across the board—and for cats, and for animals in a whole range of industries. But the Government has not attempted to act on any of Dr Kaye's recommendations. I will turn now to comments made by members on the Government side. I note that the Hon. Niall Blair referred to a couple of aspects of the legislation. His first comment was about how important farming is to New South Wales and how it would never be touched by this regime.

**The Hon. Niall Blair:** Which legislation?

**The Hon. LYNDIA VOLTZ:** I was referring to the Hon. Niall Blair's speech about this legislation. He talked about how important farming is and how there is a great difference between greyhound racing and farming in how the issue of animal welfare should be approached. That is probably true, but the Hon. Niall Blair did not explain why rodeos should be exempt. If it is just about entertainment and gambling, and we are using animals in this way, why are we only looking at greyhounds? Why are rodeos exempt? Why does the horseracing industry receive no attention from the Government side of the Chamber? If it is about gambling and animals being used for entertainment and being injured, then surely horseracing should have been mentioned in that speech. It was not mentioned, yet the issues are exactly the same.

I will now deal with the bill, which the Opposition received only today. There has not been a lot of time for members to examine it, but something I noted from the start was the lack of compensation within this report. The Government has decided to deregister and stop the greyhound industry, and take, with section 25 (2):

Any assets, rights or liabilities of Greyhound Racing ...

Across the board, any assets owned by Greyhound Racing NSW will simply be taken by the Government. Then section 29 (1) states:

Compensation is not payable by or on behalf of the State ...

It does not matter that a person may have set up their whole life around the greyhound industry. Some of the people in the greyhound industry are not first generation trainers and owners—they are second or third generation trainers and owners. Their whole lifestyle is based on being a participant in this industry. Some people are just hobbyists, but at the end of the day there is a huge number of dogs out there and there is a huge amount of infrastructure that people have maintained for a long time. This Government has come along and said, "Well, that is a bit of bad luck because there is no compensation for you. The Government is taking all the assets and closing down the industry. Off you go."

But the Government has not said that it will not take the money from gambling. In New South Wales it will still be possible to bet on greyhound races. If the Government's major concern is what happens to greyhounds, surely it would stop people betting on greyhounds—that is the best way to stop the industry—and it would stop collecting the gaming tax. But this Government will still allow gambling on greyhound racing in New South Wales. People will still be allowed to bet on greyhounds in Victoria or in Queensland. The bets will come through the New South Wales TAB and the Government will collect the tax, but people will not be allowed to bet on greyhounds in New South Wales.

In fact, a person will be able to own a greyhound in New South Wales. However, they will need to take it to race in Victoria or Queensland. It is a case of the Government banning the industry here but being happy to maintain the regime in other States. There is a real dilemma in what the Government is trying to achieve. It has said it is concerned about animal welfare, that it wants to stop these horrific activities, and that it cannot reform the industry, but it is all right for people still to gamble on, and to own and race a greyhound. They will just have to travel further or take the greyhound somewhere else—across the border. That is essentially what the Government is saying. What will happen with the assets owned by the greyhound industry? We already have had an indication of what will happen because we have seen the Wentworth Park Trust replaced by an administrator before the report was even released. Around the same time as the Minister for Sport is announcing his feasibility study into an indoor stadium, we are seeing an administrator—

**The Hon. Niall Blair:** We addressed this earlier today and yesterday. There is no conspiracy there.

**The Hon. LYNDA VOLTZ:** I am happy to deal with what the Minister said earlier. They are doing a feasibility study. The Minister said, "We will give it over to sporting facilities, community use, or it will be covered by the Crown Lands Act." We should think about that. What is an indoor sporting venue? That is right, it is a sporting facility, which is consistent with the Government's plan for an indoor sporting venue. Hands up any member in the Chamber who believes the Government has not sold any Crown land. I bet not one member in this place will say that the Government has not sold off Crown land. We know it has.

**The Hon. Niall Blair:** I appeared in front of the inquiry the other day and addressed that issue.

**The Hon. LYNDA VOLTZ:** Exactly.

**The Hon. Niall Blair:** It is consistent with what governments have done since Federation.

**The Hon. Robert Brown:** Point of order: A ruling made by the previous occupant of the Chair was that interjections were disorderly at all times. I would like to hear the member's contribution. Mr Deputy President Mallard, I ask that you remind members that interjections are disorderly.

**The Hon. Duncan Gay:** To the point of order: When the member keeps asking questions of Ministers, sometimes they are tempted to answer.

**DEPUTY PRESIDENT (The Hon. Shayne Mallard):** I remind members of the many rulings that interjections are disorderly. Comments should be directed through the Chair.

**The Hon. LYNDA VOLTZ:** The Minister said in this Chamber that it is protected by the Crown Lands Act. We know, because the Minister has just said so, that under the Crown Lands Act the Government can sell off land. The Government says that it is for protection, but we know that it provides no protection. The sell-off is part of the plan. The Government will not compensate. It is taking the assets and its decision is not based on evidence that stands up to scrutiny. We should throw the book at people who break the law. There should be

a strong animal welfare regime, but let us be fair dinkum about it. Let us identify the problems and put in place a strong regime across the board.

We should not single out the greyhound racing industry. Some people have been involved in that industry for decades. When only 10 trainers or owners gave evidence at the inquiry it is drawing a longbow to say that all 6,000 of them are abusing the system, participating in live baiting and treating their dogs badly. I am astounded at what the Government has done. I hope that Government members, particularly those from regional areas, will have the guts to defend the industry or to make real changes by implementing a proper animal welfare regime and dealing with the 15,000 complaints received by the RSPCA.

**Mr SCOT MacDONALD (20:20):** I am proud to speak in support of the Greyhound Racing Prohibition Bill 2016. My reading of the McHugh report of the commission of inquiry leaves me in no doubt that the Deputy Premier and all members of this Government are doing the right thing by backing this bill and this ban. If we had received the report from the commission of inquiry and not produced such a response we would have been pilloried for condoning cruelty. Based on the evidence that was presented to us, it would have been untenable not to act.

One of the points that a number of speakers have made is that we should give the industry another chance and implement more regulation. The report is very clear about the depth of deception, and the lengths to which people in the industry have gone to deceive the regulators, the police and the RSPCA. There is no possible way that anybody could construct a response to the report that involves a plan to give the industry another go. We cannot pretend that implementing a new code of practice would cause the current leadership of that industry and the rogue element that exists within the industry to wake up tomorrow, turn over a new leaf and say that all is okay. It is not okay. The report leaves the reader in no doubt that those elements of the industry are beyond rehabilitation.

The Government has come up with exactly the right response, which is to give the industry a year's notice. There are transitional arrangements. Dr John Keniry, a greatly respected man with skills in this area, will steer the transition process very well. As Parliamentary Secretary for the Hunter and Central Coast, I have talked to people who work in the industry. I acknowledge that there are people who value their animals, who do the right thing and who do not indulge in animal abuse. But that does not take away from the fact that animal abuse has taken place within the industry over a period of time and following a number of inquiries. The McHugh report goes into that. This situation has not arisen only in the past few years. I have read about attempts in the 1970s and 1980s to improve the animal welfare practices of the industry.

The best endeavours of all governments of all colours have not been able to do that principally because the leadership of that industry has let down its sport and its genuine followers, and it should be held to account. The Hon. Peter Primrose spoke for about 30 minutes but only mentioned animal welfare once or twice. For the Labor Party this is about politics and power; it is not about animal welfare. The Leader of the Opposition held up Labor's 10-point animal welfare plan, which I thought sounded interesting. The plan illustrates what the Labor Party does so well—that is, presents a picture whether it be a bridge, road or whatever. In this instance the front of its animal welfare plan shows an adorable picture of a cute pup that one could not resist. Section 2 of the plan deals with the greyhound industry, which the Leader of the Opposition failed to go into much detail about. It provides the following weak and anaemic statement:

#### 2 Greyhound INDUSTRY

The recent revelations about practices in the greyhound industry appal the community. NSW Labor backs the New South Wales Government's decision to launch a Special Commission of Inquiry into the greyhound industry, equipped with royal commission powers.

So far so good. It continues:

NSW Labor will ensure that until the greyhound industry is cleared of animal cruelty allegations and practises, it will not be able to benefit from Labor's commitment to reform the state's racing taxes.

This is not about animal welfare. It is about taxes and related betting. This is a sham. Every document Labor produces, whether it is in relation to roads, agriculture or hospitals, has a cute picture on the front with nothing of any substance inside. The principal reason in my mind that we are here is the live-baiting issue, which Justice McHugh examined in great detail. Whether it occurs 2 per cent, 11 per cent or 20 per cent of the time it is not acceptable. Live-baiting is an abhorrent process. The RSPCA describes live baiting as:

Live baiting refers to the practice of using live animals for the purpose of training greyhounds. This practice is illegal in all states and territories in Australia. 'Bait' animals are tied to a mechanical lure and hurled at speed around the track while greyhounds are released to pursue and catch them. Live baiting may also involve pulling animals on leads/ropes and inciting dogs to catch them. The animals involved suffer horrific pain, fear, injury and distress and will eventually die. The same animals may be used repeatedly, suffering a very long and painful death.

Let me be clear why we are debating this legislation and what people who are opposing this bill are essentially condoning. The ABC *Four Corners* program stated:

Another clip showed a possum flung around a track 26 times at high speed. When the lure stopped 56 minutes later,—

For nearly one hour it was going around—

the possum had been snapped in half and was only attached to the lure by its spinal cord.

The program further stated:

The screaming of terrified piglets and rabbits as they were flung around the track is spine-chilling, but equally so, was seeing trainers completely unmoved by the suffering of these animals.

All the evidence in Justice McHugh's report suggests that live baiting will continue underground. With the best intentions of the RSPCA, the Animal Welfare League, the NSW Police Force and regulators of any ilk this practice will continue. It is underground and it will continue underground. Justice McHugh's report reveals that serious racers rely on live bait lure training to get the best possible racing dog. It is not tenable. We cannot say we will give this industry another chance because the industry has laughed in our face for 15 or more years and it will continue to do so.

Every time we have an inquiry—and there have been many—the industry says, "Yes, we will do better." But the industry did not produce animal welfare strategies; it did not produce the codes of practice; and it did not, in good faith, consult with the RSPCA, even though it said it had consulted with the RSPCA. When Justice McHugh went back to the RSPCA, it said it was a tick-a-box exercise and it never saw the final product. Animal welfare is not an intrinsic part of the core business of the greyhound industry, which is the defining feature of this report. I feel strongly that the Premier, the Deputy Premier and the Government have taken the right course of action. It is difficult for people in regional New South Wales, particularly the patch that I am responsible for—that is, the Hunter and Central Coast—which is not far down the road from where I live at Armidale. I am a country Liberal and I sometimes feel as though I am walking on a barbed-wire fence.

This is a defining moment for the Liberals and The Nationals. What do we stand for and do we have the principles? Labor cannot stand up and say it has serious principles. When we look at this flimsy anaemic document, it is hard to believe Labor members when they say, "Trust us. We will fix this." The Hon. Robert Borsak made a contribution to this debate. I respect the members of the Shooters, Fishers and Farmers Party. I have been a sporting shooter for 35 to 40 years. Serious sporting shooters do not condone cruelty. They take a head shot or a heart shot and put an animal out of its misery. We do not let it endure pain. We cannot call ourselves sporting shooters if we allow animals to suffer. I support the bill. I am proud of my Government and I am proud of my colleagues.

**The Hon. COURTNEY HOUSSOS (20:31):** I make a contribution to debate on the Greyhound Racing Prohibition Bill 2016. As has already been signalled by my colleagues, Labor will not support this bill. Before I go into those reasons I will reflect on the way the Government has conducted its business during this debate. This is a highly significant bill that deserves detailed consideration and consultation, particularly by the House of review in this Parliament. The bill will shut down an entire industry that employs people around New South Wales. I have heard the estimated job numbers to be as high as 5,000 or 6,000, with up to half of those being in rural or regional New South Wales, which is hardly a place that can afford higher unemployment. For such a dramatic change, the public should be able to expect genuine consultation with the industry and a substantive debate in Parliament where the diversity of views can be aired and debated.

We have seen many people in the gallery today listening to the debate. It has been canvassed extensively in the media. However, a copy of the bill was provided to the Opposition and crossbenchers only minutes before the debate was due to begin. Rather than a detailed and considered debate, we were left reading the provisions of the bill as the Minister delivered his second reading speech. The Greens are blindly supporting the Government as it rams through this legislation, which flies in the face of its supposed dedication to openness and transparency. I appreciate that there is a time and place for urgency, particularly when there is bipartisan support on an issue or a genuine urgent need, but this is a detailed debate based on an extensive report from a special commission of inquiry. There are genuinely two sides being prosecuted by two major parties and the public deserves to see the legislative options.

The very first recommendation from the detailed report that the Government commissioned is to have a parliamentary debate on the issue. But the way the Government has conducted itself this morning will limit our ability to reflect Labor's clear plan to clean up the industry, to impose modern standards of animal welfare, to throw the book at those who have done the wrong thing, including through life bans and prison terms, and to give the good people in the industry the opportunity to continue their livelihoods. We should not be surprised: This is the way the Baird-Grant Government has conducted itself since its Facebook announcement just a month ago.

There has been no consultation with the industry or the people affected, no discussion about an adjustment package or support and, it seems, no consideration for the thousands of people who have dedicated their lives to working in the industry. If the Government is so confident it is making the right decision it should be able to argue it on its merits, not simply decree it from on high.

Only days after the announcement was made I travelled to the Grafton races with Labor leader Luke Foley. We met with and heard stories from hundreds of people from right around New South Wales, including breeders, owners, trainers and those employed at the track as well as those who just liked to go along on the night. They were people and families who were genuinely stunned at the dramatic and sudden decision taken by the Government. Their stories mirror the letter that the Hon. Peter Primrose read in his speech earlier. They told stories of lives dedicated to their dogs, and sacrificing family holidays or recreation time in order to care for them. Indeed, the message I heard over and over again was that they wanted to get rid of the bad apples in the industry and the people who did the wrong thing, whatever it was, because they were trying to do the right thing.

I was struck by the number of people who talked about how their whole families were involved, often several generations working together, including kids who would get up to feed the dogs before school or help with jobs after school and grandparents, parents and children working together dedicating their lives to their dogs. The stories of several families in particular stayed with me. We met one young couple who had recently given up their jobs, one as a mining supervisor and another in financial services, to return to their family's greyhound business in the Central West. They had envisaged an extended transition from her parents running the business to their family taking over, thus becoming the third generation of greyhound breeders and trainers.

Her parents had built up the family business, investing thousands upon thousands of dollars into the property including air-conditioned kennels for summer and wood-fired heating for the winter for the more than 50 dogs they housed. They have two young sons, aged four and two, who were also at the races and deeply involved already. The couple had hoped that in time they would hand over their business to them. They were in Grafton preparing for the races when they heard the shock announcement by the Government and were genuinely unsure about what their future would hold for their family or their dogs.

There was another family with five, or maybe six, children who explained to me that they gave their dogs regular massages, had ultrasonic machines and researched the best possible diets for the dogs, who were fed before the family each day. I spoke to another couple who had a similar story, except their property was just outside Casino. They sent me a letter recently. I will read part of it here:

I have been born and bred into the greyhound industry, known at age 8 as a walking pedigree encyclopedia, being able to recite a 5 generation pedigree of any greyhound stud/brood or group winner in the 1980-90's. However, my memory is now not so flash! I had dreams of being an aspiring vet, however that did not pan out, and from the day I completed my HSC, I have worked my butt off to make a future for myself, my husband, and now my family. Over the years, I have been an Owner, Trainer, Breeder, Educator, Rearer and Studmaster.

Now at 36 years old, greyhounds are the ONLY industry I know. Its all I have, all my husband and family have too. I do not have ANY other trade skills or qualifications to see me enter the workforce with flying colours. Oh yes, I've done first aid!

You DO NOT know me personally, yet I am being treated like a criminal. I am NO CRIMINAL. I have NEVER been subject to ANY conviction, positive swab or inquiry in 20 years involvement. I am a NORMAL everyday wife and Mum, that is self employed until Mike Baird decided to wipe all that we've built away, JUST LIKE THAT!

How can you possibly take something completely from someone who has worked 24hrs a day, 7 days a week, 365 days a year to get where we are and now its gone?

How can you devalue our state of the art, picturesque, purpose built property by half and look the other way?

How can you upturn the lifestyle that my children are now going to have because their unskilled parents are now unemployed?

Are you going to reimburse us for our assets which are now useless? But that is just my one person story, that will most likely sadly get overlooked.

There is no doubt that there have been horrific stories of exploitation in the industry, some of which are well documented in the McHugh report and through various media outlets. But the stories that are not often heard—the stories that this Government has not bothered to listen to—are stories like those I heard from the families in Grafton and elsewhere around New South Wales. This is primarily a question for regional New South Wales. Regional New South Wales is where 34 out of the 36 greyhound racing tracks are located. The total failure of The Nationals to advocate on their behalf is just the latest in a long list of failures. Time and time again, people have said to me that this is a city-centric decision—an alliance of inner-city Greens and North Shore Liberals. There have been a few voices of reason among those opposite but I will wait to see whether the tough talk of Chris Gulaptis, Kevin Humphries and Katrina Hodgkinson is reflected in their votes in the other place.

The Liberal Government's announcement to ban greyhound racing is not a solution to the issues facing the industry. The issues of animal welfare within the industry need to be addressed but a path outlined to do this should be considered before banning the industry altogether. Let me be clear: Animal cruelty has no place in our

society. I participated in New South Wales Labor's policy roundtable on animal welfare and I support our plan to impose modern standards of animal welfare on the greyhound racing industry. New South Wales Labor supports mandatory life bans from the industry and prison terms for anyone who engages in the disgraceful practice of live baiting. But we support a strong agenda of regulation and reform of the industry, with animal welfare at the forefront of these changes. We have a road map—79 recommendations from a special commission of inquiry—that shows us exactly how to do that. I had hoped today that we could lay out that plan through our legislative amendments. It is a plan to address the many issues in the industry—the lack of life-cycle records, the lack of clear regulation around inspections, the need for better coordination with the RSPCA, and the creation of a separate regulator that will uphold the highest standards of animal welfare.

Thousands of working families rely on the greyhound industry for their livelihoods and those families are set to face devastating consequences if the industry is banned. I have often spoken in this place about the dignity of work, and I have genuine concerns for those who have devoted their lives to their dogs. These are not nine-to-five jobs and people in this industry cannot easily find alternative employment in the office building down the road. The announcement by the Minister this morning, in his second reading speech, that he will simply kick the details of the adjustment package down the road—it is to be announced later this year—will offer little comfort to those people who are about to have their livelihoods taken away. This is not an orderly transition.

The Minister announced that betting is to be allowed on greyhound racing in other States and that the Government will allow dogs to be transferred to continue to race. That hardly indicates an ideological opposition to greyhound racing. It appears that this Government is throwing up its hands and saying that it is too hard or, even worse, that it cannot be bothered to have a go. It is not too hard. After a long-running inquiry we now have a detailed report that contains 79 recommendations on how to improve the industry. As I outlined earlier, we could have had that debate today but, instead, the Government has cloaked this bill in secrecy so it could be rushed through this Parliament.

Greyhounds have a long and important history. In modern-day Turkey images of greyhounds date back to 6,000 BC. In Wales in the tenth century the punishment for killing a greyhound was the same as that for killing a human. Greyhounds accompanied Captain Cook on his voyage in 1770, they were on the First Fleet with Governor Philip, and the first greyhound race in New South Wales was held at the former Epping Racecourse, which is now the Harold Park track, in 1927. We should not be outlawing greyhound racing. We should be supporting the imposition of modern standards of animal welfare on the greyhound racing industry and punishing those offenders who have done the wrong thing with the full force of the law. Instead, a decree has been issued from on high, with no consultation with the industry and people affected, that this bill is to be rushed through with the least amount of scrutiny possible. For those reasons I will be opposing this bill.

**The Hon. ROBERT BROWN (20:45):** I make a brief contribution to debate on the Greyhound Racing Prohibition Bill 2016. I have listened with interest to all of the contributions tonight, in particular that of the Hon. Paul Green. In his contribution the Hon. Paul Green talked about Professor Ian Hickie and the vulnerability particularly of men who find themselves unemployed. Professor Hickie said:

Those with better employment prospects in these fields a decade ago are now experiencing a downturn, they often have families to support and mortgages to pay and they are then losing their jobs and losing their connections to friends and financial security. They become disconnected.

Professor Hickie said further:

There were no strong mental health campaigns and services targeting middle-aged men in these fields.

No doubt the Hon. Paul Green would have asked the Government what it will do with these people. It is not good enough to deride a member's concern for mental health by saying that it will not happen. A simple helpline at the bottom of the Premier's media release does not provide adequate support to many in our community who will be affected by this legislation. The Hon. Paul Green would have told this House that the Christian Democratic Party does not support any form of animal cruelty. Hear, hear! The Shooters, Fishers and Farmers Party does not support animal cruelty and I doubt whether any member of this House would. The Hon. Paul Green would have said further that the unacceptable treatment of greyhounds reported in the special commission of inquiry is a condemnation of animal cruelty and that those who abuse animals in the manner reported by Justice McHugh should be held accountable.

In this State, we have very strong laws regarding animal welfare. Ultimately, it is the Government's responsibility to ensure that organisations that are responsible for compliance obtain convictions. At this point I would say that if the Premier had accepted the proposition put by Reverend the Hon. Fred Nile and the Shooters, Fishers and Farmers Party, the compliance regime within the greyhound industry would have been so much easier and so much more thorough. Why? I say that because those who are in the industry and who are desperate to stay in the industry would be ratting on the bastards—those who are doing the wrong thing—left, right and centre. The

Government would be getting tip-offs every day of the week until the mistreatment stopped. And do not tell me that is not going to happen: We only need to see what has happened in crime spheres to know that it will. The police finally cracked the Asian crime gangs in Cabramatta by having the rest of the community turn on the dogs, rats, thieves and other criminals.

The Hon. Paul Green probably would have gone on to say that while the Christian Democratic Party [CDP] and parties such as the Shooters, Fishers and Farmers Party value the lives and the welfare of greyhounds, they also value the lives and the welfare of the men, women and children in the greyhound racing community. Over the past 20 years, we have witnessed a similar dichotomy within the timber industry. I am sure that the Hon. Paul Green would have called on the Government to put people first and ensure they are consulted and cared for by the Government because he would see—and I would agree with him—that that is the job of government. I am sure he also would have said that care and compensation must be paramount when addressing an industry that is now in crisis as a result of the determination of the Government and the members of this House who support the bill.

The Hon. Paul Green probably would have concluded his speech by expressing concern that, in dealing with the mistreatment of greyhounds by some, we have come dangerously close to the mistreatment of human beings—the people involved in the greyhound racing industry. I like to think of myself as a commitment politician and I am sure that every other member of this House probably thinks the same thing of themselves. I cannot really get too excited about the position adopted by the member who represents the Animal Justice Party because I know that he not only is a commitment politician but also is prepared to break the law—a bit like Derryn Hinch. I am not quite as brave as that. I have never broken the law, apart from a few minor issues.

**The Hon. Adam Searle:** As your legal adviser, I suggest you say nothing more.

**The Hon. ROBERT BROWN:** If I did break the law, it was so long ago I cannot remember it.

**The Hon. Duncan Gay:** I cannot see your licence. They don't let me.

**The Hon. ROBERT BROWN:** No. I address my next comments to members of the House who now are sitting opposite me, members of the Coalition. Many of them are personal friends whom I have come to like, admire and respect. However, when I believe they have done the wrong thing, then I will say so. I will say it to their faces, I will say it in the corridors, I will say it in the press, and I will say it at the polling booths. Ladies and gentlemen, as much as I like you and as much as I admire you, you are supporting the wrong decision.

**The Hon. Duncan Gay:** I like you, and you are doing the same.

**The Hon. ROBERT BROWN:** The Leader of the Government has had his say and now I am having mine. I believe and my political party believes that Coalition members are making the wrong decision. The right decision would have been for the Premier to reconsider and agree to think about the proposition put to him by Reverend the Hon. Fred Nile, which was a far more reasonable proposition compared to the dislocation, hurt and pain that the Government will inflict upon human beings while trying to resolve a problem concerning the welfare of greyhounds.

Two or three weeks ago I went to the greyhound races and presented a prize for a race named Stop the Ban. Prior to that, I had not been to greyhound racing for more than 60 years. My brother-in-law used to take me to greyhound races when he was babysitting me when I was about five or six years old. I do not think anybody in my family ever worked that out because I was told not to tell anybody. But my reward then was that I was allowed into the owners enclosure to play with the dogs. I was never snarled at, bitten or harassed by a greyhound because, from my memory of way back then, they are very, very gentle creatures. I have said my piece. I think the Government has done the wrong thing. I wish the Premier had reconsidered but he has not. I am not stupid, I can count; I know this bill is going to get up, but I say to everyone: Karma is real. What goes around comes around.

**The Hon. CATHERINE CUSACK (20:55):** I will not detain the House. Many members have spoken well on both sides of the debate. I want to use this opportunity simply to refute some of the claims that have been made—by the Opposition, in particular—about the Greyhound Racing Prohibition Bill 2016. Today members of the Labor Party have made great media capital out of pretending that this bill is somehow a shock to them and that it is being rushed through the Parliament. The complaint is that they have not had time to read the bill. I simply point out that Labor had already announced its opposition to the bill without feeling the need to read it first. Labor's position is clear, and claims that it does not know what this bill is about are ludicrous.

Labor has challenged the data in the McHugh report based on advice from the Greyhound Racing Industry Alliance that, for example, the number of dogs killed at the racetrack has been said to be exaggerated. The problem with the argument that Labor members are signing on to is that the industry itself sabotaged the data

in the first place and the commission was forced to take extraordinary steps organising professional external assistance to reconstruct and construct new data in order to inform its inquiries. The industry lacks credibility in now complaining about the data it tried but failed to conceal.

The chronic refusal of the industry to embrace opportunities to reform—and there have been many, many, many, many, many opportunities that failed to secure the cooperation of the industry to reform it—is exemplified by the issue of data. The commission has recorded a long and sad chronology of efforts to reform. It reached a point at which the greyhound stewards decided to stop collecting data on race days on the hundreds of deaths and thousands of injuries of dogs in races specifically to avoid scrutiny and accountability. This happened after the *Four Corners* story and after the commission of inquiry had been announced. The practice persisted until it was caught by the commission in November of last year.

The audacity of this conspiracy among those responsible specifically for the integrity of the race days is simply breathtaking. One vet told the commission that a steward explained that recording these deaths and injuries would "stir up the greenies". It is this mentality, in effect an impenetrable anti-change force field, that has perpetrated the disgusting practice of live baiting. All members in this place claim they do not support and do not want to see live baiting continue, but the fact is that by the Labor Party opposing this bill, it shows that it is quite happy to join others in turning a blind eye and allowing that practice to continue. It is quite clear from the report and the inquiry that that practice is unable to be erased from the industry. I make the point that live baiting was made illegal 60 years ago when it was deemed cruel and unacceptable. The idea that the industry just needs a bit more time to adapt to a modern community standard is rubbish. Live baiting is not a new standard. It has been outlawed for 60 years, and past Labor governments as well as Coalition governments have been frustrated in their attempts to stop it. It is not a new standard; it is an old standard that the commission found still had support within the industry.

**Reverend the Hon. Fred Nile:** Where are the prosecutions?

**The Hon. CATHERINE CUSACK:** We need to prosecute it, of course. But the problem that governments of all flavours have encountered is that the entire industry has been covering up live baiting. People say, "Read the report." I also say, "Read the report." It is so compelling. Ten of the trainers pulled before the commission were accused of live baiting; nine of them had the grace to admit they were doing it. They all claimed that 90 per cent of the industry did it, but the commission chose to believe the person who said that around 10 to 20 per cent of the industry did it. That is still an endemic, unacceptable figure that only persisted because of people turning a blind eye.

Many trainers before the commission argued that greyhound racing would not be viable without live baiting. There are not just a few recalcitrant operators. They talked about a number of trainers lining up outside facilities in order to avail themselves of live baiting, and that was deeply concerning. It is now convenient for people in the industry to condemn live baiting and to claim that the authorities would get tip-offs of the practice, but the fact is it has been going on for 60 years. It has been illegal for 60 years. There has been effort after effort to stop it, and yet every single one of them has failed. Now the Government has been handed a report by former High Court Judge McHugh, who took more than a year to produce the report. It is rubbish that there had been no consultation before the Government took this decision. The appendices in the report show how many people were consulted in the process of reaching the conclusion that the Government is now acting on.

The blame for this chronic disgraceful situation, according to the Labor Party, lies with the Government. Those opposite claim that somehow it is the Government's fault whereas in fact there is an intractable culture that turned a blind eye. That is why live baiting has continued. The commission reported that live rabbits were being sold to trainers at race meetings in full view of punters, stewards and the media. Now trainers claim they will give us tip-offs about live baiting, but we are out of that mode as we have gone beyond that point. The commission found claims that nobody was aware of the practice to be utterly devoid of credibility. For those opposite to claim that they did not know about live baiting or nobody knew, so we should give it another try after 60 years of failure, is opportunistic and ridiculous.

Labor has always opposed live baiting, as have we. It is a lie to say that it is a new problem or it is a modern standard. Labor needs to explain why it failed to reform the industry and now acknowledge the truth, which is that the industry cannot be reformed. That was explicitly stated in the commissioner's report. We have tried and failed as well, and the reason is that the industry cannot be reformed. The suggestion that the industry now wants to reform cannot be believed. So much pressure has been applied in the last two years, and yet here we are. It has been argued that this is class warfare against poor people. The logic of this argument is that poor people do not care about animal welfare. It has been argued that this bill is the thin end of the wedge and that greenies will be coming for the farmers next. Neither of those arguments addresses the core issues of concern. The arguments are simply a desperate effort to smear the messenger, rather than answer the genuine charges against the industry.

There are many things I do not like about the Labor Party, but this attribute, where cheap smear is imported to distract attention from the lack of rational argument in order to promote political opportunism, is one of the most appalling arguments. Many greyhound industry participants are experiencing huge stress. This gives us no pleasure. This is a very unhappy task that has been handed to the Government. The Opposition now seeks to divide, enrage and incite false hope when what is actually required is calm and principled leadership working through the fallout in the best interests of those individuals who are longstanding, innocent victims of an industry that has self-destructed. Those opposite are playing the role of destroyers in this difficult situation.

In answer to Labor's claims that this is class warfare I categorically reject the corollary of the argument, which is that poor people do not care about animal welfare. I find that a shameful suggestion. Labor's "thin end of the wedge" suggestion equates cruelty to greyhounds for the purpose of gambling with farmers managing stock for the purpose of food production. This, too, is a shameful suggestion. I might add, having grown up on a cattle farm where we lived sustainably riding horses, butchering our own sheep and turkeys, producing our own milk and vegetables, and managing pest animals including rabbits and cockatoos with harmless gas guns. To equate any of those practices with the systemic cruelty of greyhound racing is outrageous. Farmers love their animals and cruelty is abhorred in all its forms, including by the neighbours. I absolutely guarantee no breeding society except greyhounds uses the term "wastage" or would deliberately overproduce in such numbers and exterminate on the basis that animals were too placid, and secretly bash them to death and bury them in mass graves in order to spare the cost of a bullet.

Labor has no concept of how deeply offensive is the allegation that greyhound wastage can be compared to farming. Making such an allegation is the poorest offence imaginable for the greyhound industry. Labor's tolerance for the cruelty, its denial of the commission's finding that such cruelty is systemic and that wastage cannot be avoided for as long as the industry is permitted to operate is deeply cynical and hypocritical. The Leader of the Opposition, Luke Foley, knows this is the right decision and the spokesperson for the Humane Society stated publicly that Luke Foley told him he would "love" to see the closure of the industry.

When this was put to Mr Foley by the media he chose his words carefully, drawing on the phrase made so famous by the dishonourable Eddie Obeid. He answered, "I don't recall." He then proceeded to call for a conscience vote on the issue, but not for the Labor Party even though so many of his own members were rebelling. He did not give them a conscience vote. He wanted someone else's party to have a conscience vote while at the same time he denies it to his own members of Parliament. In this way I am genuinely disappointed by the degree to which he is blinded by opportunism. He is so unbalanced by the rush to exploit the distress of hardworking, decent dog owners, who are clearly suffering, that he cannot see the gaping holes in the logic of asking for a conscience vote.

A very hard decision has been forced on the Government, in part because this State has such a culture of political ducking and weaving anything that is difficult. Past political cowardice no doubt has encouraged too many interest groups to believe that the Government is not serious about reform. It is as though things will blow over and life will go on as before, if one can just knuckle down and wait out the pressure. The message today is that intractable refusal to comply with the law, to meet community expectations and to continue to torture and kill animals to get the edge in a race will not be allowed to blow over. Today that attitude is what is bringing down the entire industry. It is not only morally unviable, it is financially unviable. In the interests of time I will merely refer to the excellent contribution of the Hon. Trevor Khan and not repeat it.

However, I do add that were the industry to continue, up to 20 tracks would have to close and clubs would be forcibly amalgamated. I bet when the Hon. Courtney Houssos and Luke Foley were running around Casino, Grafton and Lismore they were not discussing which tracks were going to close and which clubs were going to amalgamate; I bet that did not come up. But that still will not solve the problem of funding the redevelopment of the surviving tracks that do not comply with Labor's own standards. This issue is not addressed at all in Labor's policy; there is no cost or explanation for that. Unless and until it is, Labor's opportunism cannot be believed and its entire position must be considered self-serving and fraudulent. Where past governments have gone into hiding, this Government is standing firm and fulfilling its duty to govern. This legislation is absolutely not what any of us wanted, but sadly it is what is required.

**DEPUTY PRESIDENT (The Hon. Shayne Mallard):** I welcome to the President's gallery Horace Zhang and Su Miahua from China, guests of the Shooters, Fishers and Farmers Party. Welcome to the Legislative Council.

**The Hon. SHAOQUETT MOSELMANE (21:08):** I will make a brief contribution to the debate on the Greyhound Racing Prohibition Bill 2016. My contribution is straightforward and to the point. It condemns the terrible treatment of greyhounds and using a range of animals as live bait for the purpose of training greyhounds. This practice is illegal in all States and Territories in Australia. It is illegal in New South Wales. This practice is

heartless. This practice is cruel. It is barbaric. You name it, we condemn it. Labor will endorse all the necessary action to enforce the law when it concerns punishment for illegal practices.

Live baiting has no place in society nor should it have any place in this industry. Frankly, it is disgusting and any trainers or owners who employ this illegal method should face criminal charges. No-one will disagree with this argument. My immediate reaction when I heard the Premier's plan to ban was that it was the correct reaction. Then I asked the question, what happens to the thousands of people who rely on this racing industry for their livelihood? I hold concerns for the welfare of thousands of honest and law-abiding people in the greyhound industry who will lose their livelihood because of this Premier's ban.

It is not fair to penalise those who have done nothing wrong and it is unjust for families to lose their income without an opportunity to look for an alternative source of income. The report of the Special Commission of Inquiry into the Greyhound Racing Industry in New South Wales undertaken by Justice Michael McHugh, AM, has made 80 recommendations. Premier Baird has not taken into account 60 or 70 or even 30 or 40 of those recommendations: No, not 10 or 20, but only one of the 80 recommendations. The 79 recommendations ignored by the Government provide a comprehensive and detailed plan for the reform of the industry, including the establishment of a NSW Greyhound Racing Integrity Commission.

But, no, Premier Baird is not interested. He simply wants to release the guillotine without regard for the consequences. No-one here, or anywhere in Australia, would argue that live baiting is not cruel. It is simply unacceptable. Labor, the Shooters, Fishers and Farmers Party and the Christian Democrats object to it. That is why it is already illegal. While this and other practices employed in the industry are abhorrent, in the interests of fairness to thousands of families an opportunity should be given for the industry to clean up its act and save the livelihood of those people. I propose that we jail the crims in the industry and save jobs.

I received 576 emails on the greyhound matter. Many of those people are concerned about the welfare of the animals—as we all are. I will read an email from an employee in this industry. Premier Baird and his Government have turned their backs on these people. They have turned their backs on the Christian Democratic Party. The email states:

With the likelihood of myself an innocent person living on the streets from July next year if Greyhound racing is banned. I have to say it really does scare the hell out of me realising I have to confront being homeless at my age (51 on Wednesday). I know that I will be in the same boat as many innocent people involved in greyhound racing's lives that will be shattered forever and the hardship about to be endured is something I am really not prepared for. To be honest after speaking to Greyhound task force co-ordinator Dr John Keniry I truly believe I will be alone on the streets a fact I did tell Mr Keniry.

I really don't know how to explain how I feel and I know there will be thousands of innocent people from the greyhound industry who will be left with nothing and will share my despair. I have never accepted welfare and have always provided for myself. I have two wonderful boys in their 20s who have made lives for themselves and I just feel so ashamed that their father will be living on the streets. I really don't know how to face them.

I have been a greyhound track manager at two tracks for 14 years and I know with all the bad publicity with ads in the papers etc. making me look like a criminal and the fact I have no education I have no real chance of getting any job at my age.

I never did 1 thing wrong and done my job as a track manager with the highest of integrity and that is something I am proud of.

I move:

That the question be amended by omitting "be now read a second time" and inserting instead "be referred to General Purpose Standing Committee No. 4 for inquiry and report".

**The Hon. ERNEST WONG (21:14):** The object of the Greyhound Racing Prohibition Bill 2016 is to close down the greyhound racing industry in New South Wales from 1 July 2017. I state for the record that I am totally against all forms of animal cruelty and believe there to be no place for it in a civilised society. Nobody condones animal cruelty. The vile practices of a few in the greyhound racing industry are sickening, and the crooks should face life bans from the sport and time in prison. I agree that much more work is needed to bring animal welfare in the greyhound industry up to the highest standard. That is why I firmly support a dramatic restructure of the industry to ensure those standards are achieved.

I remind members of this House of one of the first policies the Hon. Luke Foley committed to upon becoming Leader of the Opposition. It was the State's first ever animal welfare plan, and it aimed to dramatically improve the welfare of domestic, agricultural and native animals across the State. That plan set out how we should address the issue if we are serious about the welfare of animals. New South Wales Labor stands for two things: first, cleaning up the industry; and, second, keeping it alive for the vast majority of participants who have only ever done the right thing. We consult with all stakeholders in the industry and that is why we are so disappointed that, from go to whoa on this issue, the Government failed to consult at all.

Members of this House who have strong convictions about this issue, and who would like to speak on behalf of the good people of New South Wales in debating this critical piece of legislation, found out only this

morning that this bill was about to be introduced in this House—the House of review. We did not even receive a copy of the bill until just before the sitting commenced this morning. We were given less than an hour to read it in its entirety and to adequately prepare a response to it. This is the level of contempt for proper process we have come to expect from this Government. This is an important piece of legislation that affects the lives of thousands and thousands of people in New South Wales, as well as the lives of many greyhounds we love and care for. It is not only the Opposition side of the House that is feeling the pinch. The Nationals member Kevin Humphries, who represents the western electorate of Barwon, was also stunned. In an interview on ABC Radio on 7 July 2016, he said:

To put a blanket closure on the industry I think is an overreaction and I certainly would like the opportunity as a local member with a number of clubs in my area, to be able to debate the issue and respond with some of my colleagues.

Katrina Hodgkinson, the member for Cootamundra, said in an interview with the *Cowra Guardian* on 8 July 2017:

There has to be a different way forward rather than just shutting the entire industry.

She also said:

The cabinet made the decision without consulting other MPs and the reason for this—as explained to me—was due to "market sensitivity" in relation to the announcement (which I interpreted as affecting the TAB share price). The decision has yet to go through the party rooms process, and obviously still yet to go before the parliament. In an interview on 2GB on 13 July 2016, Barnaby Joyce, our very vocal Deputy Prime Minister, said:

If you ban things, I think you've got to be careful. You start hurting people you didn't expect to hurt.

It's best to try and work with industry and get them to sort out their problems and that's going to cause me grief saying that because people will say, 'Well, you're talking against your colleagues'.

I haven't read the report and to be quite frank, I don't intend to read the report but what I do know is a lot of people who breed greyhounds and they seem like decent people.

You've always got to try and regulate it, monitor it and make sure people are doing the right thing... jump on them from a great height if they're not.

That is what Mr Joyce told 2GB. Michael McCormack and Melinda Pavey also gave interviews about how they feel about it. Let me be clear about a couple of things. The legislation does not set out to do anything to address the barbaric animal cruelty that is being used as the catalyst to float the decimation of an entire industry. If Mr Baird were serious about animal welfare he would ban the sale of puppies in pet shops. If he cared more about puppy farms than politics, then the breeding factories would have been outlawed yesterday.

Perhaps all those comments from The Nationals members have caused this bill to be introduced in the Legislative Council rather than the Legislative Assembly where the Minister sits, or the Deputy Premier is so ashamed of his own legislation that he refused to introduce it himself. This bill has been introduced in this House in a rushed way. It is a shoot-from-the-hip approach and sets a precedent for this Government to go after thoroughbred and harness racing down the track. This is not only about money, although the Government has not done the numbers. This is simply about our rights as residents of New South Wales to a fair go and eventually the rights of all Australians to a fair go. When did we turn into a dictatorship? The really sad part is that families and lives will be torn apart forever. Jason Mackay, the State's number one trainer, described the news as "an absolute culture shock" and said he feared it would force him to leave his lifelong home in the Hunter Valley. Mackay told *foxsports.com.au*:

I'll be honest, I've got a wife and three daughters and it's just brought all us together and we've all come to our knees at the one time.

I'm a professional trainer and there aren't that many in NSW. Everything for me revolves around greyhound income—my house, the kids' school and clothes, the food and the bills.

I'm born and bred in the Hunter Valley and, if this goes ahead, it's all over for me. I'll have to move whether I like it or not.

The industry was shocked that the Premier chose to shut down the industry. This was one of 80 recommendations made in the inquiry report. The other 79 recommendations allowed the industry to continue on its reform journey. In the past year the industry has proactively introduced robust and wideranging reforms to improve animal welfare. This means improved regulation and supervision and the eradication of any unacceptable behaviour. These reforms were not considered by Mr Baird at all. I heard the Hon. Trevor Khan speak about animal cruelty. I share the same passion he has about that issue. I appreciate what he said about the decline of the industry, but that is a different issue. If we are concerned about the decline of the industry and its stability, the Government should talk with all the stakeholders and try to find a way to help them. If not then the industry itself or the market will be able to determine if they want to be terminated.

I draw to the attention of members the fact that part 7, clause 29 (1) of the bill provides that compensation is not payable to those approximately 15,000 people who will directly lose their jobs and livelihoods. Mr Baird, please stop criminalising the livelihood of thousands of New South Wales residents. They are not glamorous jobs,

but they are an honest living for trainers, suppliers, part-time bar workers and showground employees. These people are largely battlers just wanting to make a living, to feed their families and to pay the bills. They do not deserve to be punished for the actions of a minority who do the wrong thing. Stop distorting an entire industry that is almost 100 years old and worth \$350 million to the economy so that it is lost forever to New South Wales residents. We should support animal welfare but not by destroying an entire industry.

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (21:24):** In reply: I thank all members who contributed to debate on this bill. The Hon. Robert Brown summed it up when he said he has friends on both sides of the debate and that people will stand for different things. Most members believe in the arguments they have put forward, and that is what makes the contributions to debate on this bill important. There are different views, but for the most part they are genuinely held. In the debate members raised matters that require a direct restatement of the Government's commitments. In answer to the question about the many Crown leases that are held by greyhound racing clubs: The Government will not support proposals to remove them from community use.

For the benefit of the House, I reiterate the statement made by the Premier when he announced the Government's intention to bring this bill to the House. With respect to Crown lands he said that the Government will "ensure they are used for open public space, alternative sports facilities or other community use". It is clear that the Government's only intent is to make sure that the myriad other community and sporting groups that currently use or want to use the facilities will be able to do so after the closure date for the industry. Dr Keniry, the Coordinator General of the Greyhounds Transition Taskforce, will engage with industry on a club-by-club basis to establish proper arrangements that meet the Government's intent. I remind the House that the Minister responsible for Crown land, the Hon. Niall Blair, has stated that he is working on a detailed review of Crown land in New South Wales. That is the best place to integrate the output from Dr Keniry on that matter. Amendments to Crown land matters should be contained within the Crown Lands Act.

I turn to the claims made by the Opposition that there is no transition plan. I reiterate what the Premier said: The revenue from wagering taxes will be used to fund a transition plan. I heard Labor Party members wax lyrical about where that money might go. They mentioned a hundred different ideas, but not one of them acknowledged the commitment that had been made for that money. The plan is under development and Dr Keniry will consult extensively with the industry to ensure that he hears from direct participants and the supply chain businesses that support them. Dr Keniry has advised that he is actively working towards developing a specialised mental health service to support people as the transition occurs. We hear the stories, we understand them and we believe them. The Government is working genuinely on that issue. In the interim we recommend that people who need immediate help should contact beyondblue or Lifeline.

The Government has said already that training and skills programs will be available to help affected people find new jobs. Businesses affiliated with the greyhound industry will be given access to business advice and assistance through an expanded Small Biz Connect program. Direct financial assistance will be made available to support those who are affected in their transition out of the industry. Animal welfare will be a significant part of the transition package. We are consulting on options such as payments related specifically to the costs of moving dogs out of the New South Wales industry, supporting the RSPCA and other animal welfare services in the rehoming and fostering of greyhounds, and creating incentives in the long run for people to care for their own dogs. We recognise that the people who are affected need to know what will be available to them so they can plan for the future. To that end, the Government commits that it will announce its package of measures of help within three months from the passing of this legislation.

**The Hon. Daniel Mookhey:** How generous.

**The Hon. DUNCAN GAY:** It is the same date that is in your amendments, smart arse.

**The Hon. Greg Donnelly:** Point of order: That outburst was completely unparliamentary and I ask that the Minister withdraw it.

**The Hon. DUNCAN GAY:** I withdraw.

**The PRESIDENT:** I thank the honourable member for withdrawing it without being required to do so.

**The Hon. DUNCAN GAY:** The point is made; he is an idiot.

**The PRESIDENT:** Order! This time I will direct that the Minister without qualification withdraw the word "idiot", which has been ruled to be unparliamentary. I remind the Hon. Walt Secord that he is dancing on extremely thin ice.

**The Hon. DUNCAN GAY:** I withdraw the term "idiot". I note the contribution from the Opposition about puppy farms. The Government response to the Joint Select Committee on Companion Animals Breeding

Practices in New South Wales sets out the very clear approach to be taken by the Government. In short, it includes a proposal to increase registration processes around breeders, arrangements similar enough to what have existed in greyhound racing for many years and the very sorts of rules that Justice McHugh made it clear the industry has been systematically ignoring for more than a decade. The very clear distinction is that the companion animal industry still has a chance to prove it can meet community standards and the greyhound industry has failed that test.

I note the policy position of the Opposition is to close large-scale pet breeding operations. How it is consistent to ban large-scale puppy farms and not acknowledge the similar large-scale overbreeding of greyhounds that has been occurring just beggars my mind. During debate the Hon. Peter Primrose raised section 29 (1) and compensation. The clause deals with standard compensation matters and does not prevent the Government from providing a financial assistance package as it would for any industry in transition. The Government has indicated an initial commitment to provide \$30 million to transition dogs and people out of the industry. The package will include training programs, business advice, linkages with other government services and, importantly, financial assistance to help mitigate transition costs.

To inform the development of the assistance package Dr Keniry will consult widely with the industry to hear its concerns and ideas, and on how to address them. The full details of the assistance package will be made available later this year. The Hon. Peter Primrose also referred to clause 25, which deals with the distribution of residual greyhound racing assets. The way in which industry assets and liabilities will be dealt with will be addressed in the Racing Closure Business Plan developed by the greyhound racing administrator. The bill requires that this plan must be approved by the Minister who may also modify the plan and will consult as necessary before approving the plan. These matters will be carefully and sensibly dealt with in accordance with the approved business plan. The administrator must make the approved plan available to the public, ensuring full visibility over that plan. The Government already has committed to retaining publicly owned assets, such as Crown land for community use, which may include open space or sports facilities. On final winding-up of the industry and dissolution of Greyhound Racing NSW, any remaining assets or liabilities will be transferred to the Crown.

It is clear that the cost to Greyhound Racing NSW of keeping the industry going until 1 July 2017 will be higher than in recent years. In the financial year ending June 2015 Greyhound Racing NSW reported a surplus of only \$1.9 billion. Much of that surplus will be used to ensure the industry can have a last race. The Government expects a trivial transfer, if anything, from the final position of Greyhound Racing NSW. The honourable member also raised the issue concerning the urgency of this bill. In normal circumstances the procedures of the Legislative Council are critical and ensure a proper legislative process. Those procedures also provide appropriately for dealing with matters that are urgent. The bill before this Chamber needed to be dealt with urgently so that the people who participate in the greyhound industry have as much time as possible to absorb the new law on greyhounds so they can make rational decisions about their future and the future of the dogs.

We do not accept that the industry should be subjected to months of uncertainty. This issue needs to be dealt with urgently and there needs to be clear action so that people can get their heads around where they are going. It is a bit cute for the Opposition to say that it needs a bill to review when a month ago it announced to the world that it was not going to support it. It did not matter what we gave Opposition members or how long they had to look at it: They had their heads in the sand and were playing politics as hard and as fast as they possibly could. They are the world's greatest hypocrites when it comes to issues such as this. They should hang their heads in shame. While ever they are led by a political opportunist like the Hon. Walt Secord, they will make stupid, harmful decisions for the people of New South Wales.

**The PRESIDENT:** Order!

**The Hon. Walt Secord:** I am worried about his health.

**The Hon. DUNCAN GAY:** You are on your third call.

**The PRESIDENT:** Order! The Hon. Walt Secord is absolutely on his last warning. I call the Hon. Shaoquett Moselmane to order for the first time.

**The Hon. DUNCAN GAY:** I briefly turn to the concerns expressed by Dr Mehreen Faruqi concerning the export of dogs. Action has been taken on a State and national level to ensure that greyhounds do not end up in jurisdictions where there is little or no regard for animal welfare standards. In 2013 Greyhound Australia, which is responsible for the rules concerning the international export of greyhounds, banned exports to Macau because it does not meet the animal welfare standards of Greyhound Australia. The Government supports that ban and will work actively with the Commonwealth to further strengthen its operation. Any greyhound that is transferred interstate would be subject to the same export bans. The treatment of any dog interstate would also be subject to the prevention of cruelty to animals legislation in that jurisdiction, including bans on using animals to bait or lure.

We are committed to appropriate welfare standards and the enforcement of those standards. We do not want to see a situation where dogs are inappropriately sent to jurisdictions that do not have appropriate welfare standards.

In my second reading speech I made the point that the industry was contemplating a sharp cut in the numbers of tracks from the 34 that exist today. The industry's adviser reported to the special commission an indicative list of just eight places where clubs could continue to exist. This means that, at best, the New South Wales industry would have a regional footprint something like that which I will now outline. There would be two clubs in the Central West, where there are currently nine clubs, and three clubs in the Hunter, including Gosford, where there are now five race clubs. There would be two clubs in the Illawarra-South Coast, where there are currently five clubs, and two clubs in metropolitan Sydney, where there are now three clubs.

There would be one club on the mid North Coast, where there are currently three clubs, and one club in New England, where there are now four clubs. There would be two clubs in the Northern Rivers, where there are now three race clubs. Finally, there would be one club in the Riverina, where there are currently two clubs. No-one should be left with a romantic notion that somehow in 2020 greyhound racing in New South Wales was going to be operating from its current 34 clubs. To survive into the near future the industry said that it would need to overbreed, waste dogs and slash tracks.

The Greyhound Racing Prohibition Bill 2016 implements the legislative component of the Government's announcement to shut down the greyhound racing industry in New South Wales. This package of legislation has a strong focus on ending greyhound racing in New South Wales as well as betting on greyhound racing. From 1 July 2017 we will work with the racing clubs as the transition occurs. The measures in the bill also address the other key aspects of the industry, including breeding greyhounds for racing, keeping them for racing outside New South Wales and operating trial tracks.

The Government recognises the need for an orderly and staged transition to ensure that the industry has the assistance it needs while looking after the welfare of the animals and the owners during the transition process. We will provide for an orderly shutdown. We recognise that this cannot, and should not, happen overnight. The Government will work closely with Dr John Keniry, who is heading up the transition task force. Dr Keniry is already meeting with key stakeholders and industry participants affected by the announcement. His consultations and the work of the task force will help to inform a package of industry assistance measures that will be submitted to Government for consideration later this year.

While this has been an incredibly hard decision, the Government believes it is the right thing to stop greyhound racing in New South Wales from 1 July next year. The bill strikes an appropriate balance of banning greyhound racing from 1 July 2017 while, importantly, providing a progressive industry transition that will enable participants to wind down their operations over the longer term. I commend the bill to the House.

**The PRESIDENT:** The question is that this bill be now read a second time to which three amendments have been received. I will put the amendments sequentially in the order they were received. The question is that the amendment of the Hon. Adam Searle be agreed to.

**The House divided.**

Ayes ..... 12  
Noes ..... 19  
Majority..... 7

**AYES**

Borsak, Mr R  
Donnelly, Mr G (teller)  
Moselmane, Mr S (teller)  
Searle, Mr A

Brown, Mr R  
Green, Mr P  
Nile, Reverend F  
Secord, Mr W

Cotsis, Ms S  
Mookhey, Mr D  
Primrose, Mr P  
Veitch, Mr M

**NOES**

Ajaka, Mr J  
Buckingham, Mr J  
Cusack, Ms C  
Franklin, Mr B (teller)  
MacDonald, Mr S  
Mitchell, Ms S  
Taylor, Ms B

Amato, Mr L  
Clarke, Mr D  
Farlow, Mr S  
Gay, Mr D  
Maclaren-Jones, Ms N (teller)  
Pearson, Mr M

Blair, Mr N  
Colless, Mr R  
Faruqi, Dr M  
Khan, Mr T  
Mallard, Mr S  
Shoebridge, Mr D

## PAIRS

Sharpe, Ms P  
Voltz, Ms L  
Wong, Mr E

Mason-Cox, Mr M  
Gallacher, Mr M  
Pearce, Mr G

**Amendment negatived.**

**The PRESIDENT:** The question is that the amendment of the Hon. Mick Veitch be agreed to.

**The House divided.**

**The PRESIDENT:** By leave, the bells will ring for one minute.

Ayes ..... 12  
Noes ..... 19  
Majority..... 7

## AYES

Borsak, Mr R  
Donnelly, Mr G (teller)  
Moselmane, Mr S (teller)  
Searle, Mr A

Brown, Mr R  
Green, Mr P  
Nile, Reverend F  
Secord, Mr W

Cotsis, Ms S  
Mookhey, Mr D  
Primrose, Mr P  
Veitch, Mr M

## NOES

Ajaka, Mr J  
Buckingham, Mr J  
Cusack, Ms C  
Franklin, Mr B (teller)  
MacDonald, Mr S  
Mitchell, Ms S  
Taylor, Ms B

Amato, Mr L  
Clarke, Mr D  
Farlow, Mr S  
Gay, Mr D  
Maclaren-Jones, Ms N (teller)  
Pearson, Mr M

Blair, Mr N  
Colless, Mr R  
Faruqi, Dr M  
Khan, Mr T  
Mallard, Mr S  
Shoebridge, Mr D

## PAIRS

Sharpe, Ms P  
Voltz, Ms L  
Wong, Mr E

Gallacher, Mr M  
Mason-Cox, Mr M  
Pearce, Mr G

**Amendment negatived.**

**The PRESIDENT:** I now will put the third amendment. The question is that the amendment of the Hon. Shaoquett Moselmane be agreed to. By leave, the bells will ring for one minute.

**The House divided.**

Ayes ..... 12  
Noes ..... 19  
Majority..... 7

## AYES

Borsak, Mr R  
Donnelly, Mr G (teller)  
Moselmane, Mr S (teller)  
Searle, Mr A

Brown, Mr R  
Green, Mr P  
Nile, Reverend F  
Secord, Mr W

Cotsis, Ms S  
Mookhey, Mr D  
Primrose, Mr P  
Veitch, Mr M

## NOES

Ajaka, Mr J	Amato, Mr L	Blair, Mr N
Buckingham, Mr J	Clarke, Mr D	Colless, Mr R
Cusack, Ms C	Farlow, Mr S	Faruqi, Dr M
Franklin, Mr B (teller)	Gay, Mr D	Khan, Mr T
MacDonald, Mr S	Maclaren-Jones, Ms N (teller)	Mallard, Mr S
Mitchell, Ms S	Pearson, Mr M	Shoebridge, Mr D
Taylor, Ms B		

## PAIRS

Sharpe, Ms P	Gallacher, Mr M
Voltz, Ms L	Mason-Cox, Mr M
Wong, Mr E	Pearce, Mr G

**Amendment negatived.**

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

**The House divided.**

**The PRESIDENT:** By leave, the bells will ring for one minute.

Ayes .....	19
Noes .....	12
Majority.....	7

## AYES

Ajaka, Mr J	Amato, Mr L	Blair, Mr N
Buckingham, Mr J	Clarke, Mr D	Colless, Mr R
Cusack, Ms C	Farlow, Mr S	Faruqi, Dr M
Franklin, Mr B (teller)	Gay, Mr D	Khan, Mr T
MacDonald, Mr S	Maclaren-Jones, Ms N (teller)	Mallard, Mr S
Mitchell, Ms S	Pearson, Mr M	Shoebridge, Mr D
Taylor, Ms B		

## NOES

Borsak, Mr R	Brown, Mr R	Cotsis, Ms S
Donnelly, Mr G (teller)	Green, Mr P	Mookhey, Mr D
Moselmane, Mr S (teller)	Nile, Reverend F	Primrose, Mr P
Searle, Mr A	Secord, Mr W	Veitch, Mr M

## PAIRS

Gallacher, Mr M	Sharpe, Ms P
Mason-Cox, Mr M	Wong, Mr E
Pearce, Mr G	Voltz, Ms L

**Motion agreed to.****In Committee**

**The CHAIR (The Hon. Trevor Khan):** With the leave of the Committee I will take the Greyhound Racing Prohibition Bill 2016 as a whole. I have one set of amendments, being the two Opposition amendments appearing on sheet C2016-068.

**The Hon. ADAM SEARLE (22:04):** I move Opposition amendment No. 1 on sheet C2016-068. I reserve my comments and leave it to the Hon. Peter Primrose to address the amendment:

No. 1 **Preservation of public land**

Page 13. Insert after line 1:

**29 Restriction on sale etc of public land used for greyhound racing**

Any public land used for greyhound racing on the date of assent to this Act must not:

- (a) be sold, leased or disposed of; or
- (b) be used for any purpose other than greyhound racing or a purpose for which it was used before the date of assent;

except by an Act of Parliament.

**The Hon. PETER PRIMROSE (22:05):** Amendment No. 1 is a simple amendment. It restricts the sale of any public land used for greyhound racing on the day that this bill gains assent. In addition to the sale of this land, the amendment would also restrict the leasing or disposal by other means of such land. Further, it would also restrict the use of such land for any purpose other than greyhound racing or a purpose for which it was used before the date of assent. These restrictions could only be removed by an Act of Parliament. Instead of Executive Government being able to dispose of this land behind closed doors and away from public scrutiny, the process and what was happening to this land would be open and clear to every citizen of this State. The disinfectant of light would be allowed to shine in on those potentially very lucrative arrangements that may be made with developers.

The community is rightly suspicious of what the Government intends to do with the public lands that have been used for up to 80 years to conduct greyhound racing in this State. These public lands are worth many millions of dollars. I am sure the Government will say that it has given undertakings in relation to Crown lands. Frankly, you could drive a truck through the undertakings we have heard during the second reading debate.

**The Hon. Greg Donnelly:** A B-double.

**The Hon. PETER PRIMROSE:** You could drive a B-double through those so-called undertakings, as colleagues have said. The public does not trust the Government not to be planning to sell off these lands to its friends in the development industry—today a greyhound track, tomorrow a suburb of flats. During the second reading debate the Government contended that any provision relating to Crown land should be included in a Crown lands Act. I agree with that, except that the Government is putting this legislation through now. We have the bill before us now, and accordingly those protections should be built in now.

The Baird-Grant Government's priorities are clear: privatisation and developers first, communities last. This amendment will frustrate the Government's plans by imposing reasonable parliamentary oversight on the future of these greyhound racing tracks. This will prevent the Baird-Grant Government from conducting a fire sale disposal of these public assets and ensure that the community is properly informed of what the Government is up to.

The one group here I would expect to support this amendment, other than the Opposition and those who have opposed this bill from the outset, is The Greens. What are The Greens doing by allowing the option of privatisation without full public scrutiny? You could drive a truck through this. The Greens are getting their bill; they have done deals with The Nationals and the Liberal Party. This amendment gives The Greens the choice to show whether they favour full scrutiny by the Parliament of these shady deals or whether they believe the privatisation of land behind closed doors is appropriate. It is their choice.

**The CHAIR:** Order! I remind members from both sides that they should not shout across the Chamber.

**The Hon. Sophie Cotsis:** That's a change.

**The CHAIR:** Order! I suggest to the Hon. Sophie Cotsis that she should be very careful not to interrupt when I am speaking. If members continue to interject across the Chamber they will be called to order. I invite members at this late hour to control themselves.

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (22:09):** I speak on behalf of the Government on this amendment. The Hon. Peter Primrose was quite right in his prediction that the Government will reiterate comments made by the Premier and Deputy Premier publicly and that I, as the Minister for Lands and Water, have repeated; that is, that the community use that exists for these facilities will continue. Clearly the amendment is not necessary.

As indicated earlier, the Crown Lands Act makes it very clear that the leases set out the approved use of lands and those uses cannot be changed by the lessee. If the amendment were accepted it would guarantee that the land used for racing would become disused and neglected because other provisions remove greyhound track licences. If something is used only for greyhound racing it would then sit there idle. We know that a lot of the

tracks have multi-use purposes for community organisations and groups. For example, the purposes listed for Grafton greyhound racing reserve include caravan and camping park, public recreation and racecourse. The different users of the site include residents and campers in the caravan park, the greyhound racecourse and the caravan park.

It clearly outlines that in a lot of the Crown land assets in which greyhound racing occurs there are multi-user groups; these are assets used by multiple community organisations. That is why the commitment from the Government to continue with those user groups is a steadfast commitment. Even if Labor's conspiracy theory started to add up, the purpose for which that land is used is already in the Crown Lands Act and changing that use cannot just be done by the click of one's finger. The amendment states:

Any public land used for greyhound racing on the date of assent to this Act must not:

- (a) be sold, leased or disposed of; or
  - (b) be used for any purpose other than greyhound racing or a purpose for which it was used before the date of assent;
- except by an Act of Parliament.

Does that mean that under the prescriptiveness of this amendment a greyhound track could not be used for a recreation purpose, such as the recent scenario where many public assets were used as staging points for the Kangaroo March, unless we come back to this Parliament? The Crown Lands Act clearly identifies the purposes for which these assets can be used. The Government has made the commitment that it will continue these assets for community use and for public benefit. The list of dog tracks on Crown land shows that they are used by multiple community organisations.

The amendment is unnecessary. It will duplicate the provisions that already exist far beyond the Crown Lands Act. If we try to change the use for some of these assets, we could end up having land claims over them. The Crown Lands Act is very detailed on how we deal with the use of public land and we are open and transparent about that. I appeared recently before the upper House inquiry into Crown lands and was questioned extensively about this matter. We have put out the white paper on the future direction of Crown lands in this State and I will be reappearing before that committee on Monday. The amendment is unnecessary.

**Dr MEHREEN FARUQI (22:14):** The only purpose of this amendment is to retain greyhound tracks so that Labor can reopen the industry in 2019 if it wins the election. We are not interested in playing this game. This amendment would require an Act of Parliament for the building of any community facility, or any park or sporting facility on public lands. That could require as many as 16 Acts of Parliament. The Greens intend to hold Premier Baird to his word on retaining this land in public hands. Members can laugh as much as they want. The Greens will not support this amendment .

**The CHAIR:** Order! I call the Hon. Daniel Mookhey to order for the first time.

**The Hon. ADAM SEARLE (22:15):** Now we have heard it all. We have heard The Greens say in this Chamber that they are going to accept the word of the Premier on the privatisation of public assets.

**The CHAIR:** Order! I call the Hon. Sophie Cotsis to order for the first time.

**The Hon. ADAM SEARLE:** This amendment is not primarily directed at preserving greyhound tracks. It is about preserving the status quo usage of lands unless or until there is a further Act of Parliament. We do not accept the commitments given by the Government about the continued community uses of this land. This Government has a very poor track record on the alienation of public assets. The verbal commitments given by the Premier and the Government in this Chamber are not worth the paper they are written on without parliamentary backing. If The Greens want to hold the Government to account, this is the opportunity to do so, when the legislation is going through the Parliament. If they miss this opportunity they will miss the only lever to hold the Government to account on the potential privatisation or alienation of these valuable public lands.

For The Greens to miss the opportunity to ensure that the Government cannot pass away these lands would be short-sighted and a terrible betrayal of the ideals for which they claim to stand. Watching The Nationals tying themselves in knots trying to defend the proposition is equally difficult. The fact is that this is a straightforward amendment designed to ensure that the Government keeps its word. For members opposite to say "you have to trust us" is laughable, given the history of this matter and other matters such as the commitment given to the cross-bench members concerning electricity privatisation. If we do not get it right when the legislation goes through, the Government has a clear track record It will dud us.

**The Hon. Peter Primrose:** Newcastle.

**The Hon. ADAM SEARLE:** Newcastle is another example. I implore The Greens to accept this amendment.

**The CHAIR:** Order! The Hon. Walt Secord will resume his seat. A member stands in place to seek the call. They do not rush to the table. For the purpose of orderly debate, it is better that Mr Shoebridge speak. It will also give the member more material to argue about.

**Mr DAVID SHOEBRIDGE (22:17):** This Opposition amendment is plainly mischievous and works directly against the explicit purpose of the bill.

**The CHAIR:** Order! I call the Hon. Daniel Mookhey to order for the second time.

**Mr DAVID SHOEBRIDGE:** Perhaps the Opposition has misunderstood the purpose of the bill. The purpose of this bill is to end greyhound racing in New South Wales on 1 July 2017. What has the Opposition done? It has put together one of the worst constructed attempts at a wedge against those supporting the bill by presenting an amendment that says any public land used for greyhound racing on the date of assent to this Act must not be sold, leased or disposed of. That is 100 per cent contrary to the purpose of the bill. If this amendment is agreed to no public land used for greyhound racing will be able to be used for any purpose other than greyhound racing, or a purpose for which it was used prior to the date of assent.

What alternative universe do Labor members live in where they think we can pass a piece of legislation that ends the greyhound racing industry and then say, "Every single piece of public land that has been set aside for greyhound racing can be used only for greyhound racing, or for the weekend picnic that has been held there in the past"? If this amendment were successful, it would put in place the most incoherent piece of legislation—

**The CHAIR:** Order! I remind the Hon. Daniel Mookhey that he is on two calls to order.

**The Hon. Daniel Mookhey:** Apparently.

**The CHAIR:** He is. He will just have to accept my word for that. He is on two calls and he is skating on very thin ice. These are important matters and he should restrain himself.

**Mr DAVID SHOEBRIDGE:** We cannot have the primary purpose of the bill being to end the greyhound racing industry and then say that every single track, every single asset that is used for greyhound racing, needs to be preserved for greyhound racing into the future unless there is an Act of Parliament.

**The Hon. Sophie Cotsis:** Or—

**Mr DAVID SHOEBRIDGE:** They are like a kid saying, "Or, or, or". It is like having an aviary opposite. The "or" refers to the part of the amendment that says, "or a purpose for which it was used before the date of assent". So if weekend markets have been held at some very important public asset, like Wentworth Park or some other greyhound racing track, we could keep having those weekend markets, but otherwise those assets would be reserved for the greyhound racing industry, which this bill is shutting down.

If those opposite want to create a wedge, I suggest they get somebody with a bit of nous to draft their amendments so that they are vaguely coherent. We want to do one important thing with this bill, and my colleague Dr Mehreen Faruqi has made it clear from the outset that we are not going to allow the attachment of some foolhardy limpet mine to this legislation so that it can be defeated in the other House. We are not going to allow the Labor Party to play silly buggers with a piece of legislation the fundamental purpose of which is to end widespread animal cruelty. As my colleague Dr Mehreen Faruqi said, we are not going to play the Labor Party's games and we will not be voting for an amendment that sets aside every greyhound racing track in New South Wales for use by an industry that we want to shut down.

**The Hon. WALT SECORD (22:21):** I make a heartfelt and passionate plea to The Greens, to Mr David Shoebridge, to reconsider this amendment and to support it. I never thought I would see the day when Mr David Shoebridge and Dr Mehreen Faruqi would support a measure that would put at risk Crown land. Mr David Shoebridge has spoken hundreds of times in this Chamber about how he could not trust the Hon. Troy Grant, how he could not trust the Premier. But tonight he trusts them.

**The Hon. PAUL GREEN (22:21):** I cannot believe what I am hearing. Two things have happened today. First, The Greens, whose real understanding of grassroots community consultation I have great respect for, and who constantly speak in this Chamber about transparency and giving stakeholders a fair go, have today done a U-turn on all that by allowing no opportunity for this bill to be laid on the table. Secondly, we now have the amendment moved by the Leader of the Opposition and addressed by the Hon. Peter Primrose. The Greens, by not backing this amendment, are opening the way for Wentworth Park to be developed. That is something I know they are totally against, but they are about to do a second backflip on it. That is two very significant backflips today, which I think will set a precedent in this Chamber. We will be reminding The Greens time and again about how they did these backflips today. It will come back to bite them. They can no longer be trusted on transparency;

they can no longer be trusted on grassroots community consultation; and they can no longer be trusted with the honesty and integrity of our mandate to work in this House for the people of New South Wales.

**The Hon. ROBERT BROWN (22:24):** I would like to test the premises that have been put to The Greens tonight. I move:

That Opposition amendment No. 1 on sheet C2016-068 be amended by deleting all the words in clause 29 (b) with a view to inserting instead "be used for any purpose other than community purposes".

**The CHAIR:** I am not being critical and I do not want to stifle debate, but so that everyone understands, the amendment that has been moved will delete all the words in clause 29 (b) and insert in their place "be used for any purpose other than community purposes".

**The Hon. ROBERT BROWN:** That is correct.

**The Hon. ADAM SEARLE (22:26):** The Opposition accepts and supports that amendment. It achieves the purpose that is the substance of Opposition amendment No. 1. Our intention in amendment No. 1 was to put beyond any argument potential alienation of public lands or the use of public lands for purposes other than community purposes, other than with further approval of the Parliament, to make sure that the commitments given by the Government around this debate are actually kept. The only leverage we have to do that is when the bill is actually going through. We have learnt the hard way from other examples and other debates in this place. If this Parliament truly wishes to hold the Government to its word then this is the opportunity and this is the amendment. We on the Opposition side thank the Hon. Robert Brown for his constructive contribution. We embrace it wholeheartedly and we urge the Government and The Greens, in particular, to join with us.

**The Hon. PAUL GREEN (22:27):** The spirit of the Opposition's amendment was not to sterilise community events in these parks. It was merely to hold the Government to its word that these facilities will not be sold out from underneath people. That remains true in this amendment that the Hon. Robert Brown has moved. The Christian Democratic Party supports the amendment as it now stands.

**Mr DAVID SHOEBRIDGE (22:27):** This kind of last-minute drafting on the run potentially puts in place—

**The CHAIR:** Order!

**The Hon. Robert Brown:** Point of order: If my amendment is serious enough for this Committee to consider then at least the speaker—in opposition to my amendment, I assume—should be heard. I cannot hear him. I want to hear what he has to say.

**The CHAIR:** Order! I agree. I remind some Opposition members that they are on two calls to order. If they are called to order again, they will be testing the friendship beyond all reasonable bounds. I invite restraint. This is an important matter; all members should be in the Committee for the vote. If disorder occurs again, someone will find themselves out of this place. Members should restrain themselves.

**Mr DAVID SHOEBRIDGE:** This kind of drafting on the run is almost inevitable when there has been so little time to discuss the bill. I accept that.

**The CHAIR:** Order! A matter of seconds ago I made a statement, but members still interject. Members should restrain themselves and let the speaker make his point without interjection.

**Mr DAVID SHOEBRIDGE:** I accept that the Hon. Robert Brown is making a genuine effort to resolve the obvious, fundamental problem with Opposition amendment No. 1 as originally drafted. The moving of his amendment acknowledges how fundamentally flawed the Opposition's original amendment was. I will deal with some of the practical difficulties that I see with the amendment. I do not think that a sporting purpose is necessarily a community purpose. It probably is not a community purpose, but I do not know. In other legislation one sees it written as "sporting, community or other purpose". I do not know whether a private club running a sporting event is a community purpose. I would say that it is probably not. That would probably exclude sporting events from being held at these facilities.

There is also a fundamental problem with the first part of the amendment, which seeks to prevent any lease on any of this land. We are talking about valuable public land that is often located in the centre of a country town or in an important part of a metropolitan area. If there is a prohibition on leasing even the smallest part of any of those important assets without an Act of Parliament then we are almost inevitably creating a next to impossible situation for dealing with those assets. Such assets can be extremely important in small towns, and Wentworth Park is an important asset for the Sydney community. If it ceases to be used as a greyhound track then I hope there is the capacity to lease it to a community group, a sporting group or a not-for-profit group so that it can be used for a public purpose. This amendment would prevent that from happening.

I am not saying that there would not be an amendment that we could, over time, sit down and draft that would achieve what I think we all want to achieve. I accept that the Government has simply read a commitment into *Hansard*, but that commitment has been repeatedly and publicly given. I accept the criticism of the Opposition that that commitment is nowhere near as good as having legislation. Potentially, if we had an infinite period of time to come up with an amendment that dealt with the fundamental problems that I see in this amendment, we might get an amendment that we could all agree to.

In this debate we should recognise that sometimes in politics it is necessary to seize the moment to create a great good. When one has the numbers in the Chamber and in the Parliament to deliver an overall fundamental good then it is necessary to do so. We have the numbers now to deliver this bill and to put an end to the greyhound racing industry. We should not fall over in an attempt to achieve absolute perfection on every element and fail to deliver the fundamental good. I do not believe Labor is genuine in its discussion on this. Labor wants to defeat the bill. It wants the greyhound racing industry to continue and it will use whatever political strategy it can to defeat the overall purpose of the bill.

**The CHAIR:** Order! I call the Hon. Lynda Voltz to order for the first time.

**Mr DAVID SHOEBRIDGE:** Labor is trying to wedge The Greens, as it does repeatedly in this Chamber, because it does not want us to do what our supporters absolutely want us to do, which is to make sure that this legislation passes and that the greyhound racing industry ends.

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (22:33):** I will not repeat what Mr David Shoebridge said, but he is right about the drafting of clause 29 (a) in Opposition amendment No. 1. Let us say, for example, that a track that is currently used for greyhound racing is on Crown land. If the club or the industry decided to cease racing on that track, this amendment would prohibit that track from being used for any other purposes that are consistent with how that track is defined under the Crown lands legislation. It would prevent it from being leased to another community group or organisation whose purpose is consistent with the requirements under the Crown Lands Act. I am sure that is not what those who drafted this amendment seek, as it works against a lot of the argument centred around the amendment.

This is a clunky amendment. The Premier and the Minister for Roads, Maritime and Freight have made commitments on this matter. As Minister for Lands and Water I have made commitments on this matter, not only in this House during question time and in this debate but also in front of a parliamentary inquiry into Crown lands, which I will appear before again next week. This is a clunky way to deal with this matter. The most appropriate way to proceed is through the Crown lands legislation that contains provisions to safeguard against some of the issues raised by those who are trying to advance conspiracy theories. The Government has also committed to bring legislation to this House in the spring session to debate a whole range of issues in relation to Crown lands.

**Mr Jeremy Buckingham:** Which year?

**The Hon. NIALL BLAIR:** This year. That is probably the most appropriate time to discuss this matter, in plenty of detail and with plenty of time. This amendment is clunky and not the way to proceed.

**The Hon. Peter Primrose:** Are we getting an exposure draft? You promised an exposure draft.

**The Hon. NIALL BLAIR:** We addressed that issue in the committee the other week, and the member can ask me again on Monday. This is a clunky amendment and its wording will work against the intent of those who are trying to address an issue about which they are concerned.

**The Hon. ADAM SEARLE (22:36):** The proponents of the bill are desperate to avoid embracing this amendment, despite the fact they claim it is unnecessary, because it merely replicates the commitment they have given already. Their position on the amendment belies or undermines their claims repeated in this place as well as elsewhere that they have no intention of trying to sell off this land. If that were their real intent it would be in the legislation but they have been called out on it. They have tried to retreat and say "We have already made the commitment so it is unnecessary" and now they are working overtime to be critical of the drafting, given the shortness of time.

I point out to Mr David Shoebridge that one of the reasons time is so short is that his party joined with the Government in not affording this Chamber the opportunity of having one day to give proper consideration to the bill so that we could reflect on its terms properly, draft amendments properly and possibly address other concerns with the legislation. So if there is a shortness of time it rests at the feet of The Greens, who have enabled the Government to rush this bill through the Chamber. Their crocodile tears are just ridiculous and do them no credit. If the Government has no intention to alienate this land from community or public ownership—if that is its commitment—it should have been in the bill. The fact that the Government is desperate to avoid putting anything in the legislation shows that its intention is otherwise.

Mr David Shoebridge said that somehow this is a limpet mine to make sure the Government scraps the bill in the other place, but how could that be so, given its commitment? It shows that even The Greens do not believe the commitment given by the Government but its desperation to ban greyhound racing in this State trumps everything—even their professed commitment to the public ownership of community and public lands and other public assets. The Greens are prepared to sacrifice that to get the industry banned because that is their top priority—and now it here for all to see, plain as day.

**The Hon. DANIEL MOOKHEY (22:38):** I speak in favour of the amendment moved by the Leader of the Opposition as amended by my colleague the Hon. Robert Brown. I take exception to the contribution of Mr David Shoebridge, who revealed his intent when he concluded his speech by saying that when you have the numbers you use them. The holier-than-thou Greens, who elevate themselves above politics, who present themselves as being above partisan disputes and who campaign against the practices of the old party—

**The CHAIR:** I remind members that their contributions are not second reading speeches; they should be about the amendment.

**The Hon. DANIEL MOOKHEY:** I am addressing the contribution that was made during consideration of the amendment.

**The CHAIR:** Order!

**The Hon. Niall Blair:** Point of order—

**The CHAIR:** Order! I will deal with it. First, members should not talk over the top of the Chair. The second point is that this is not a high school debate in which members address what is said by another member. If the Hon. Daniel Mookhey has a problem he can resume his seat. Members' contributions must address the amendment before the Committee. Contributions are not in reply to what another member has said; the amendment must be addressed. I invite the Hon. Daniel Mookhey to address the amendment.

**The Hon. DANIEL MOOKHEY:** Indeed. I will speak about the necessity for the amendment. The Opposition amendment requires Parliament to consent to changes to the use of this land. It would not preclude the ability to change the use of the land. It requires Parliament to consent, which is the key point of difference. The grounds by which such an application can be brought to Parliament by way of legislation, such as through this amendment, are straightforward if it is retained within community use. The irony is that, should this amendment not be passed, we will find ourselves in the delicious position where the Government's stated policy will not be implemented. We are asking the Committee to agree to this amendment to reflect the commitments the Government has given. We are asking to put it in law.

The Opposition amendment, as amended by the Hon. Robert Brown, now mirrors the language that the Government has advanced as to the quality and calibre of its protection. It says that community use will be protected. We want Parliament to consent because the bill will say "except by an Act of Parliament". The reason this is necessary is that the bill, as will be reflected in *Hansard*, has not advanced any definition for what constitutes "community use". However, it is interpreted at the time as the standard or the test that will prevail. We want Parliament to consent because community use is not defined.

Let us examine what would happen if this amendment is passed. We may find ourselves in a situation where, for example, Meriton decides to buy Wentworth Park as a result of an unsolicited proposal—as is allowed—and says it will happily build a high school at Wentworth Park if it can build 30-storey towers. Does that meet the definition of community use? Is that the type of policy The Greens will support? Is that the type of policy the Liberal Party will ask us to support? An alternative scenario is that we find ourselves in a situation where, for example, someone wants to introduce other forms of competition in other parts of the gambling industry and they say that they will help to deal with the affordable housing crisis by dedicating one floor of a building to affordable housing in exchange for being able to do what they want with the rest. In that circumstance they will have passed the test of community use as defined by the Government.

The reality is that should this amendment not pass, The Greens will enable the Grant-Baird Government to put us in a position where the onus will be on Parliament to reverse its decisions. We have a relatively simple proposition—come to Parliament first. Then, when dealing with sensitive matters and with matters involving councils that have been abolished and are being subjected to the undemocratic rule of administrators for planning purposes, that element of democratic deficit will be corrected by having scrutiny applied by Parliament. Consider where the greyhound tracks are located; the very councils that are expected to use their powers under the planning Act have been abolished.

That is the circumstance in which we will find ourselves should this not pass. I for one enjoy Wentworth Park. It is a wonderful community facility. Those who use it for non-greyhound racing purposes should have every

right to continue to use it in the way they currently do. That is provided for in our amendment. The simple point is this: The Greens are prepared to take the Baird Government at its word. History and experience show us that is a mistake.

**The Hon. ROBERT BROWN (22:44):** I will clarify my amendment. My reading of my amendment to clause 29 is that the last line in the amendment "except by an act of Parliament" refers to the whole of subclauses (a) and (b). In deleting and replacing subclause (b) it was not my intention to include the words "except by an act of Parliament". I intended that my amendment would end at the word "assent" in subclause (b). If I have misinformed the Parliament I apologise, but that was my reading of the way it was structured.

**The CHAIR:** I make the observation that it is my fault for not having read it out and for not having required the Hon. Robert Brown to provide the amendment in writing. I will accept some responsibility. So it is clear, the Hon. Robert Brown has indicated that the two lines in subclause (b) of Opposition amendment No. 1 have been deleted but the words "except by an act of Parliament", which do not form part of subclause (b), remain.

**The Hon. ROBERT BROWN:** Yes, that was my intention in moving the amendment.

**Mr JEREMY BUCKINGHAM (22:46):** I join my colleagues Mr Shoebridge and Dr Faruqi in opposing this unedifying and unnecessary amendment. It is just a scramble by Labor members in what has been a disgraceful display that is without principle, integrity or logic. If they had been in local government they would know that many greyhound racing tracks are vested in local governments to manage and they are leased out routinely. Are they suggesting that the Camp Draft, the Show 'n' Shine or country expos and the like will require an act of Parliament before Bathurst council or—

**The Hon. Paul Green:** Existing use rights. Just work under that.

**Mr JEREMY BUCKINGHAM:** I think it is clear that Labor members have scrambled to filibuster and throw roadblocks in the way of this legislation. It is a debacle.

**The CHAIR:** Order! I remind the Hon. Sophie Cotsis that she is on one call to order.

**The Hon. LYNDIA VOLTZ (22:47):** Mr Jeremy Buckingham has again showed his ignorance of what happens in this Chamber. Any of us who have had experience with government and how it uses Crown lands in providing infrastructure will know that this Government is a master at the long-term, 99-year leasing of assets around the State.

The amendment refers specifically to the ability of this Government to lease, dispose of, or sell land. If Mr Buckingham had been in the Chamber earlier and if he had taken any notice of members who spoke in this debate about the building of a stadium at Moore Park, he would know that that sporting facility is for community use. The Government's intention was to have a 99-year lease. Wentworth Park has been placed under an administrator. The Wentworth Park Sporting Complex Trust has been removed and the Government is conducting a feasibility study on an indoor stadium at Wentworth Park. As far as The Greens members are concerned that is okay because they do not mind if Wentworth Park is taken over for the interests of the events market rather than for use by the local community. The Greens have agreed to this proposal by opposing this amendment, which indicates that they are happy with it.

The Greens members are hypocritical. They come into this Chamber and lecture Labor members about an amendment to a bill that we did not see until 11 o'clock. Labor members were not given enough time to look at the detail of the bill. Over past decades Labor members have listened to The Greens lecture them about public land and about how much time they should have to examine each bill. In the past The Greens members have lectured Opposition members about the importance of draft bills and about community consultation. However, on this occasion they said, "It is all right. You can sell the land, dispose of it and lease it. We will not agree to your amendment because we do not care; we look after a greater good." The Greens said to us, "You cannot consult anyone. You cannot see the draft bill before it is brought into the House. Too bad; you should just accept it. Just cop it."

The Greens members are becoming masters at party politics. Once people realise that The Greens have refused to block the sale of public land and allow the legislation to be scrutinised, they will react at the State election as they did at the Federal election.

**The CHAIR:** The question is that the amendment moved by the Hon. Robert Brown to the amendment of the Hon. Adam Searle be agreed to.

**Amendment of amendment agreed to.**

**The CHAIR:** The question now is that the amendment of the Hon. Adam Searle, as amended, be agreed to.

**The Committee divided.**

Ayes .....12  
 Noes .....19  
 Majority.....7

**AYES**

Borsak, Mr R  
 Donnelly, Mr G (teller)  
 Moselmane, Mr S (teller)  
 Searle, Mr A

Brown, Mr R  
 Green, Mr P  
 Nile, Reverend F  
 Secord, Mr W

Cotsis, Ms S  
 Mookhey, Mr D  
 Primrose, Mr P  
 Veitch, Mr M

**NOES**

Ajaka, Mr J  
 Buckingham, Mr J  
 Cusack, Ms C  
 Franklin, Mr B (teller)  
 MacDonald, Mr S  
 Mitchell, Ms S  
 Taylor, Ms B

Amato, Mr L  
 Clarke, Mr D  
 Farlow, Mr S  
 Gay, Mr D  
 Maclaren-Jones, Ms N (teller)  
 Pearson, Mr M

Blair, Mr N  
 Colless, Mr R  
 Faruqi, Dr M  
 Harwin, Mr D  
 Mallard, Mr S  
 Shoebridge, Mr D

**PAIRS**

Sharpe, Ms P  
 Voltz, Ms L  
 Wong, Mr E

Gallacher, Mr M  
 Mason-Cox, Mr M  
 Pearce, Mr G

**Amendment as amended negated.**

**The CHAIR:** The Committee now will consider Opposition amendment No. 2 on sheet C2016-068.

**The Hon. ADAM SEARLE (11:01):** I move Opposition amendment No. 2 on sheet C2016-068.

No. 2 **Financial assistance scheme**

Page 13. Insert after line 25:

**30 Minister required to establish financial assistance scheme**

- (1) The Minister must, within 3 months after the date of assent to this Act, establish a scheme for the payment of financial assistance to persons who are or will be financially disadvantaged by the closure of the greyhound racing industry.
- (2) The Minister is, as soon as practicable after the scheme is established, to report to Parliament on the scheme.
- (3) This section has effect despite section 29.

I defer to my colleague the Hon. Peter Primrose to address the amendment.

**The Hon. PETER PRIMROSE (23:01):** When Opposition members finally received the bill at approximately 10.50 this morning, it was shocking to read clause 29, which indicates that the Baird Government has ruled out any compensation being payable to the thousands of honest small businesses and individuals who will lose their investments and their income as a result of this legislation. I paraphrase what the Government has said, "We are not providing compensation, but you can trust us to provide transitional financial assistance." This is another case of "Trust us. We're the Government!"

The people involved in greyhounds in this State are the last people who will ever trust the Baird-Grant Government—in particular, The Nationals—ever again. No details have been given of when that assistance will be provided or how much it will be. Thousands of people are having their livelihoods destroyed, yet the Government that is responsible for the inequity has the gall to say, "Trust us to provide you with financial assistance." The amendment introduces some parliamentary scrutiny into the process of providing financial assistance to an industry that the Premier and Deputy Premier are intent on destroying. Without this amendment, the industry will be left to the tender mercies of the Baird-Grant Government. If this legislation is not amended, there will be no protection and no assurance that Premier Baird and Deputy Premier Grant will treat people

involved in the greyhound industry with decency and respect. The Government certainly has not treated them in that manner to date.

Without this amendment, the greyhound industry is vulnerable and exposed to the capricious and cruel whims of the Premier and the Deputy Premier. Without this amendment the people involved in greyhound racing run the real risk that they will be ripped off blind and will have no recourse to proper and respectful treatment. Their businesses and lives will be trashed and closed down. They face the real risk of being ripped off by the Government. The Opposition's amendment provides the introduction of some protection for those people by requiring the Minister to provide a plan of financial assistance in a timely fashion and report on that to the Parliament.

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (23:04):** We oppose this amendment. The Government has already committed to giving the industry participants involved certainty about what assistance they will receive and from whom. As we indicated, we have appointed Dr John Keniry as the Coordinator General of the Greyhounds Transition Taskforce. He is consulting with the industry about the shape and form of a transition package. We have already committed to spending the wagering tax receipts on the transition plan. So there is at least a large amount of money already out there, which is quite different from what Labor would have done. Labor's idea is the closure of country tracks with absolutely no assistance package. It is crocodile tears and catch-up from the people who are playing a political hand on this issue.

Dr Keniry has advised that he is actively working towards developing a specialised mental health-related service to support people as this transition occurs. In the interim, we recommend that people who need immediate help contact beyondblue or Lifeline. We have already said that training and skills programs will be available to help affected people find new jobs. Greyhound businesses will be given access to business advice and assistance through an expanded Small Biz Connect program and direct financial assistance will be made available to support the transition out of the industry by affected people.

Animal welfare will also be a significant part of the transition package. We are consulting on options such as payments related specifically to the costs of moving dogs out of the New South Wales industry or supporting the RSPCA and other animal welfare services in rehoming and fostering greyhounds, thereby creating incentives for people to care for their own dogs in the long run. So the work of building a transition plan is underway and the Government is satisfied that Dr Keniry will deliver advice to the Government in a timely way. We also indicated in my speech in reply, as the Minister with carriage of the bill in consultation with the Deputy Premier, a time span of three months from the passing of this legislation for the financial assistance plan to be in place. The Deputy Premier, who is in the Chamber tonight, is nodding his head vigorously to indicate that that is the case.

**The CHAIR:** Order! I call the Hon. Greg Donnelly to order for the first time.

**Dr MEHREEN FARUQI (23:08):** This amendment is about establishing a financial assistance scheme. As I understand it, this is already happening with the Greyhounds Transition Taskforce. The Greyhounds Transition Taskforce consists of the Department of Justice, the Department of Premier and Cabinet, the Department of Industry (Small Business Commissioner), Treasury, the NSW Police Force, the Department of Primary Industries, the Office of Local Government, Greyhound Racing NSW, the RSPCA and the Animal Welfare League. The third point in the terms of reference reads:

Oversight delivery of measures to support industry participants and employees transition to the broader workforce as the industry is shut down.

Quite frankly, I trust the Greyhounds Transition Taskforce much more than the Minister to handle this. The Greens will not support this amendment.

**The Hon. PAUL GREEN (23:08):** We will be supporting the amendment. It is great that we can rely on the word of the Baird-Grant Government. It would be nice to see the Government sign some cheques to help these people, but it is more important to sign into place this law, verbally and by endorsement. This industry needs to hear much weightier assurances from this Government.

The Christian Democratic Party has stated clearly tonight that we are deeply concerned about the people in the greyhound racing industry, which is the particular demographic that will be affected by the passage of this legislation. They have a deep need for careful monitoring of their mental health and wellbeing. In the light of the contribution to debate on this amendment by the Minister, the Hon. Duncan Gay, we say to the Government that it is not enough to establish a helpline for these people. Those who will be dealing with the people affected by this legislation need to get out there and be at the people's point of need. We strongly encourage the Government to meet with the affected people, rather than wait for them to approach any services the Government provides.

The people affected by this legislation will be humbled and humiliated by having to beg, borrow and steal to make up for their losses. How much more do we want to humiliate them? We must send out people to love and care for them where they are if we are to meet their needs. If the Government really cares about these people, then it must go to where the affected people are.

**The Hon. ROBERT BROWN (23:10):** The Shooters, Fishers and Farmers Party supports Opposition amendment No. 2. It is not a matter of whether or not we trust the Government; it is really a matter of putting into law something to signal to the industry, which has been destroyed by the passage of this legislation, that the Government is prepared to accept financial responsibility for these actions. On that principle alone, we support the amendment. Secondly, assurances from the Government that Dr Keniry will chair the task force and the list of participants read out by Dr Mehreen Faruqi leave me with no confidence that these people will be treated with the sensitivity that they need. We support the amendment.

**The Hon. PETER PRIMROSE (23:11):** In reply: I simply make the point that I do not imagine, if this amendment is carried, it will result in the Minister and Dr Mehreen Faruqi sitting down with a pen and paper to work this out. It would still be done by a group of people organised by the Executive Government. The big difference is that it would not be done in private, in secret. A report would be presented to this Parliament, and I think that is the right thing to do. If this amendment is lost I will ask the Government at the very least to commit to reporting back to this House on a voluntary basis. This is such a momentous matter as it will affect so many people in New South Wales that I do not know why the idea of this being reported in the Parliament is somehow bad or evil. In fact, we are elected to debate and pass legislation. We represent the community of New South Wales. This is where we have arguments when we review what the Executive does. At the very least, I think it is appropriate that the Government indicate that it will report back within that time frame.

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (23:13):** The Hon. Peter Primrose has made a good point through the eloquence of his speech and the compelling issues he raised. The Deputy Premier has indicated to me, and I am pleased to tell the House, that the Government undertakes to report back to the House.

**The Hon. ROBERT BROWN (23:13):** At this point I would like to thank the Hon. Peter Primrose for eloquently putting his point. I notice that the Minister is in the advisers gallery and I thank him for giving this undertaking. Just stick to your word, boys.

**The CHAIR:** The question is that Opposition amendment No. 2 on sheet C2016-068 be agreed to.

**The Committee divided.**

Ayes ..... 12  
Noes ..... 19  
Majority..... 7

#### AYES

Borsak, Mr R  
Donnelly, Mr G (teller)  
Moselmane, Mr S (teller)  
Searle, Mr A

Brown, Mr R  
Green, Mr P  
Nile, Reverend F  
Secord, Mr W

Cotsis, Ms S  
Mookhey, Mr D  
Primrose, Mr P  
Veitch, Mr M

#### NOES

Ajaka, Mr J  
Buckingham, Mr J  
Cusack, Ms C  
Franklin, Mr B (teller)  
MacDonald, Mr S  
Mitchell, Ms S  
Taylor, Ms B

Amato, Mr L  
Clarke, Mr D  
Farlow, Mr S  
Gay, Mr D  
Maclaren-Jones, Ms N (teller)  
Pearson, Mr M

Blair, Mr N  
Colless, Mr R  
Faruqi, Dr M  
Harwin, Mr D  
Mallard, Mr S  
Shoebridge, Mr D

#### PAIRS

Sharpe, Ms P  
Voltz, Ms L  
Wong, Mr E

Gallacher, Mr M  
Mason-Cox, Mr M  
Pearce, Mr G

**Amendment negatived.**

**The CHAIR:** The question is that the bill as read be agreed to.

**Motion agreed to.**

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (23:21):** I move:

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

**Motion agreed to.**

### Adoption of Report

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (23:22):** I move:

That the report be adopted.

**Motion agreed to.**

### Third Reading

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (23:22):** I move:

That this bill be now read a third time.

**Question put.**

**The House divided.**

Ayes ..... 19  
Noes ..... 12  
Majority ..... 7

#### AYES

Ajaka, Mr J  
Buckingham, Mr J  
Cusack, Ms C  
Franklin, Mr B (teller)  
MacDonald, Mr S  
Mitchell, Ms S  
Taylor, Ms B

Amato, Mr L  
Clarke, Mr D  
Farlow, Mr S  
Gay, Mr D  
Maclaren-Jones, Ms N (teller)  
Pearson, Mr M

Blair, Mr N  
Colless, Mr R  
Faruqi, Dr M  
Khan, Mr T  
Mallard, Mr S  
Shoebridge, Mr D

#### NOES

Borsak, Mr R  
Donnelly, Mr G (teller)  
Moselmane, Mr S (teller)  
Searle, Mr A

Brown, Mr R  
Green, Mr P  
Nile, Reverend F  
Secord, Mr W

Cotsis, Ms S  
Mookhey, Mr D  
Primrose, Mr P  
Veitch, Mr M

#### PAIRS

Gallacher, Mr M  
Mason-Cox, Mr M  
Pearce, Mr G

Voltz, Ms L  
Wong, Mr E  
Sharpe, Ms P

**Motion agreed to.**

**SECURITY INDUSTRY AMENDMENT (PRIVATE INVESTIGATORS) BILL 2016****First Reading**

**Bill received from the Legislative Assembly, and read a first time and ordered to be printed on motion by the Hon. Duncan Gay.**

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (23:31):** I move:

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

**Motion agreed to.**

**The Hon. DUNCAN GAY:** I move:

That the second reading of the bill stand an order of the day for a future day.

**Motion agreed to.**

*Adjournment Debate*

**ADJOURNMENT**

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (23:32):** I move:

That this House do now adjourn.

**TARWYN PARK**

**Mr JEREMY BUCKINGHAM (23:32):** This evening I speak about a disaster occurring in the Bylong Valley. It is an absolute travesty, and one of the most foolish and outrageous things ever to happen in the history of New South Wales agriculture. Of course I am speaking about the desecration of Tarwyn Park. Anyone who cares about agriculture in New South Wales should care that this icon of sustainable agriculture will be literally undermined, destroyed and laid waste by the proposal by the Korea Electric Power Corporation [KEPCO] for an open-cut and underground coalmine in that beautiful valley. The Greens stand with all those who think that Tarwyn Park should be given a heritage listing—saved for all time from the absolute desecration that KEPCO will bring upon it and the valley—and that this proposal for a coalmine should be ruled out entirely.

The Greens have been in this place many times saying that strategic agricultural land should be ruled out from mining. Yet here we are after years and years of debate, delay and posturing by the Government, one of the absolute icons of the long history of sustainable agricultural development and innovation in Australia—indeed, in the world—is about to be destroyed. Anyone who cares about agriculture or who has read *Back from the Brink* by Peter Andrews would know that this is an absolute jewel in the crown from an ecological perspective.

It is absolutely beyond compare. The Bylong Valley below the escarpment has fantastic surface and groundwater resources. There is more biophysical strategic agricultural land there than at the proposed Shenhua mine site. Yet the proposal is to obliterate it with a coalmine that nobody needs, that will be unprofitable and that is rejected by the agricultural sector and all reasonable people in Australia. The visionary Peter Andrews bought the land in the 1970s, when it was suffering from the effects of salinity and vegetation loss. It was unproductive, and he turned it around in a generation by using livestock and innovative techniques. Principally, he slowed water down. He looked at how water worked in the landscape, in a natural system. Reeds, rushes, trees and minor species in the bed of the river slowed the water down. The water fanned out across the valley floor, the floodplain, and the productivity returned. He used rotational grazing techniques. The land was insulated against the boom and bust of droughts in New South Wales.

What is the Government doing? This week it is paying lip-service to the farcical proposal from KEPCO that its operations will not undermine that land. The infrastructure for KEPCO's mine infests that farm. It goes over the top of it, with roads right through it. There will be an open-cut coalmine within metres of it. KEPCO is suggesting a 150-metre deep open-cut coalmine within metres of the floodplain, yet it says that the floodplain will be preserved and that KEPCO will look after it. We do not believe that for one minute. Tarwyn Park must be saved. It is an icon of agricultural land in this State. Any government that allows it to be undermined will be condemned. Hundreds of people protested at the site last week. This week the Government is bending over backwards to let KEPCO off the hook. We do not accept that. We think there are areas in this State that should be no-go zones. This fight is decades old; it is ongoing. Coalmining has no future. New coalmines have no future in this State or across the globe today. Coal is over. The last thing we should do is to destroy Tarwyn Park for a coalmine that no-one wants.

## BYRON WRITERS FESTIVAL

**The Hon. BEN FRANKLIN (23:37):** Last weekend I was a proud attendee at the annual Byron Writers Festival, a key event in the active, vibrant literary culture of the Northern Rivers. The festival offers a seven-day program that attracts more than 70,000 individual attendances and reaches more than 4,000 school students. The twentieth anniversary of the Byron Writers Festival presented a cultural feast for patrons, with a diverse program that explored music and visual arts and provided plentiful food for thought. The festival is an example of local community members working together to create a world-class event. At its nucleus is a hardworking board led by founder and retiring chair Chris Hanley, a man without whom this event would not exist. Other committed and skilled board members include deputy chair Jennifer St George; founding member Russell Eldridge; treasurer Cheryl Bourne, CPA; the wonderful Dr Jesse Blackadder; Kate Cameron; Marele Day; Linda Dean, OAM; Dr Lynda Hawryluk; Dr Anneli Knight; Adam van Kempen; and the festival's very impressive and dynamic director, Edwina Johnson.

The Byron Writers Festival is a not-for-profit, member-based organisation with more than 600 members. A dedicated staff of six, supported by many individuals on short-term contracts and more than 200 volunteers, contributed to the festival's strongest and best-received program yet, with a record-breaking 14 per cent increase in box office takings. A stellar line-up of more than 150 writers, poets, journalists, politicians and thinkers featured in 123 on-site sessions. It is Australia's largest regional literary festival, held in the relaxed surrounds of the iconic Byron Bay. I was delighted to personally hear from or catch up with Australian authors and thought leaders including Tim Fischer, Wendy Whiteley, Annabel Crabb, Geordie Williamson, Leigh Sales, Jesse Blackadder, Stan Grant and more.

The economic and social community benefits for the region have proved robust and enduring over the two-decade history of the festival. Established in 1997 by Chris Hanley, local business owner, founder and retiring chair, the festival reportedly had a rocky financial beginning that required, "passing the hat around to local businesses, some of which are still sponsors." The first Australian Literary Festival to have children's and schools' programs, and the first to sell tickets and to survey audience reaction, the Byron Writers Festival consistently hosts exceptional thinkers, writers and communicators to connect and join in conversation with readers from around the country. The weather has been a constant variable throughout the history of bravely staging the Byron Writer's Festival in a North Coast New South Wales location. This year buffeting winds and lashings of rain brought down the marquees the night before the festival opening. But, true to form, the hardy souls of the Byron community rallied to re-create the festival site in time for the arrival of a sellout crowd on Friday morning.

My personal festival highlight was the launch of the StoryBoard bus and attending the tent where children were asked for their ideas to design the bus—a wonderful project transporting children's authors and a love of creative writing into schools across the region. With the incredible support of Minister for the Arts, Troy Grant, I was proud to help deliver the funding required to make the StoryBoard bus a reality. The Minister approved strategic funds project funding of \$50,000 through the New South Wales Government's Arts and Cultural Development Program [ACDP] towards the Northern Rivers Writers' Centre's StoryBoard project. StoryBoard is a Byron Writers Festival initiative.

The funds have enabled the Northern Rivers Writers' Centre to purchase a bus to be used as a travelling home for the program and will deliver authors directly to classrooms in the Northern Rivers to inspire students to write, make and create. The bus will travel to both primary and high schools, with a focus on under-resourced and disadvantaged school groups between ages eight and 18. This is the StoryBoard's pilot year and it is being exceptionally well run by Coralie Topper. It provides opportunities and accessibility to creative writing and literature among children of all backgrounds and abilities. The StoryBoard team's goal from 2017 is to visit 100 schools within an 80-kilometre radius of the Byron Bay area and to reach 3,000 children each year.

Bringing leading authors and illustrators into schools, StoryBoard inspires young people to create stories, fosters creativity and literacy in our communities, and serves to move children out of disadvantage. Meanwhile, back in the tent where the bus was being designed, it was a genuine delight to hear the kids shout what they wanted their dream bus to be. They wanted it to be three storeys high, with a swimming pool on the top, never-ending fairy floss and chocolate, a laser show and fire coming out of the exhaust. The StoryBoard bus is to be accompanied on the road by dinosaurs and unicorns. Would children everywhere not love a bus like that to visit their school? I am not sure we are going to be able to build the bus to those exact requirements, but I know it will be an amazingly magical place all the same.

The StoryBoard bus will be enriching for children, teachers and volunteers alike. I am sure the benefits will flow through the Northern Rivers region for decades to come. I congratulate Chris Hanley, Edwina Johnson and all the staff and volunteers on such a great initiative and on running yet another excellent festival.

## STATE BUDGET AND CANTERBURY ELECTORATE

**The Hon. SOPHIE COTSIS (23:42):** The budget handed down in June shows that the Baird Government does not care about the people of Canterbury. The population of the Canterbury area is predicted to grow by 30,000 during the next 15 years. The Baird Government's draft plans for the renewal of the Sydenham to Bankstown corridor could see the number of homes in Campsie double and in Canterbury triple. Yet, despite the Government's plans for massive population growth in the Canterbury area, this year's State budget fails to invest in better services or any additional services for our community.

The budget fails to allocate a single dollar to upgrade the Canterbury Hospital, despite the hospital experiencing significant growth. Approximately 11,000 people attended the emergency department at the Canterbury Hospital in the first quarter of this year, which is an increase of 6 per cent compared with the same period last year. The Government's strategic plan for the Canterbury Hospital for 2013-18 recognises the need for significant investment to meet growing demand. The strategic plan states that there is a need to establish a dedicated aged care and rehabilitation service, and talks about the importance of expanding the space and capacity of the emergency department and other areas. Yet this year's budget does not allocate one single dollar of additional funding for capital works at the Canterbury Hospital to meet the increasing demand for services at this important facility.

The Baird Government's approach to education is just as bad because the budget fails to invest in local schools to meet the needs of the future; it barely provides enough money to cover the needs of schools now. Local schools in the Canterbury area face a \$7 million maintenance backlog because of the Baird Government's chronic underfunding of public schools. The budget cuts, staff cuts and fee increases at TAFE are making it harder for young people to get the skills they need to find a good job.

Another concern of mine is the state of the ambulance station in South Parade, Campsie. On 16 July this year, the Baird Government confirmed in Fairfax media that up to 20 ambulance stations will be downgraded to standby points across Sydney under its Paramedic Response Network plan. The shadow Minister for Health, the Hon. Walt Secord, is doing an exemplary job of holding this Government to account. He has stated that the new network will result in patients with medical emergencies having to wait longer for an ambulance because of traffic congestion and the need to travel greater distances to hospital. I urge members opposite to drive down Canterbury Road so they can see the congestion. If the closure of the Campsie ambulance station is allowed to happen, people's safety will be placed at risk. As the shadow Minister stated, the so-called superstation plan failed in the United Kingdom and as a result put patient safety at risk. Fourteen existing stations will be downgraded to paramedic standby points. A further six are under review and could be downgraded, including the Campsie ambulance station. I am calling on the Baird Government to guarantee the future of the Campsie ambulance station so that it remains open for the safety of patients.

Perhaps the worst news of all for the people of Canterbury is the Baird Government's proposed plans to close Hurlstone Park train station. As reported on *Seven News* on Friday 29 July, the Baird Government is seriously considering closing Hurlstone Park station because it is apparently too close to the train stations at Canterbury and Dulwich Hill. Closing train stations might seem like an unthinkable option but the Baird Government has form after ripping up the Newcastle rail line to facilitate property developers in the Newcastle central business district. *Seven News* reported that the Baird Government is considering forcing Hurlstone Park residents to choose between losing their train station, which is used by more than 1,300 people each day, or accepting massive high-rise developments in their suburb. The Baird Government's approach to planning appears to hold entire suburbs hostage, while threatening to take away local services unless people give in to the demands of property developers. All of this comes at a time when the Baird Government is going out of its way to deny the residents a voice in their local area. I call on the Government to allow residents to have their say.

### TRIBUTE TO FATHER JACQUES HAMEL

**The Hon. PAUL GREEN (23:47):** I reflect upon the death of Father Jacques Hamel on Tuesday 26 August in Normandy, France. Father Jacques was conducting mass when the congregation was set upon by two young Islamic State supporters. The congregation was taken hostage and Father Jacques was killed. This was the second terrorist attack against the French people in two weeks. Today we regularly hear of threats of terrorism and terrorist attacks. At a time when many can be given over to fear, I am encouraged to see the response of the people of France and the Catholic Church. BBC reporter Hugh Schofield spoke of the nation's response to the tragedy and said:

No-one in the country was shocked by the church's reaction to the murder of one of their own—no thirst for vengeance, no anathema against Islam; instead a plea for forbearance and understanding.

He also stated:

Since the killings began, there have been no crowds on the streets of Nice or Paris chanting "Death to Islamic State". Instead ... there are candles of remembrance.

In Sydney on Wednesday 27 August, a day later, Archbishop Anthony Fisher stood in St Mary's Cathedral and conducted a mass to honour the life of Father Jacques. He encouraged the congregation and said that the church was a place of peace and love. He stated: This attack is an attack on a particular priest, his congregation, his community, his country; but it is also an attack on all priests, all congregations, all communities, all countries because its aim is to undermine people's sense of security everywhere, freedom of religion everywhere, and our love of peace.

Archbishop Fisher concluded by reminding us all:

We stand with Father Jacques and with all those who have given the witness of their lives and deaths, not for a hateful ideology but for faith and hope and love.

Although this act has been committed we, as individuals, families, churches and communities, each have the ability to choose our response. It is either hate and fear or love and peace. We can choose to continue to extend tolerance, respect and forgiveness and to turn from violence. We can join the people of France in upholding these values. While today it is seen as a secular nation, France has been part of the Judeo-Christian tradition for many hundreds of years. As Jesus of Nazareth says in Luke 6:27-28:

Love your enemies, do good to those who hate you, bless those who curse you, pray for those who mistreat you.

We cannot kill hate with more hate or more bombs. Jesus suggests that we use the weapon of love. As the response by the Church in France shows us, tolerance is not a one-way street; it must be exercised by both sides. We must continue to show love in adversity while being vigilant and wise as to who, where, what, how and why people are trying to do harm to our way of life. We must surgically address this infection of hate against our nation, the West and, in this case, the Church. May Father Jacques Hamel rest in peace.

#### **COMMONWEALTH PARLIAMENTARY ASSOCIATION STUDY TOUR**

**The Hon. SHAOQUETT MOSELMANE (23:51):** Recently I travelled to Europe on my first Commonwealth Parliamentary Association [CPA] study tour. I thank the CPA for the opportunity, in particular, Kate Cadell and David Blunt, for their kind support and the Presiding Officers for their approval. There is a lot to tell and I will do so in my study report. Suffice it now to say that I am grateful for the opportunity and encourage every member to make every effort to go to the House of Commons and to watch democracy in action.

I thank the CPA United Kingdom branch for arranging the tour of the Parliament and in particular Lauren Tait, Programme Officer, International Outreach Team, for her wonderful assistance at a time when the entire nation was embroiled in the consequences of the Brexit vote. I had the pleasure of visiting both Houses of the United Kingdom Parliament. What was most fascinating was observing the House of Commons in operation and in particular witnessing Prime Minister David Cameron answering 110 questions without waffle but with short, sharp and direct answers. It puts our question time shenanigans and waste to shame, but more on this in my report. I also thank the eight members of the House of Commons to whom I presented a certificate of condolence for the late Jo Cox, signed by the NSW Labor Parliamentary Caucus.

I next visited the Republic of Ireland. I convey my gratitude to Her Excellency Jane Connolly, Consul General of Ireland, for her assistance in arranging meetings with the Government's Chief Whip, the Hon. Ms Regina Doherty, and the Ceann Comhairle, or Speaker of the lower House, and thank them for the very generous time they afforded me. I was honoured with a private tour of both Houses and by a special welcome in the Senate. I express my gratitude to shadow Attorney General Paul Lynch and Ms Emma Clancy for organising meetings with the Hon. Mary Lou McDonald, the Vice-President of Sinn Féin and member for Dublin Central. I thank her. I also thank Ms Grainne McKenna for giving up her time to show us around Belfast.

My next stop was Amsterdam in the Kingdom of Netherlands. I thank His Excellency Drs W. N. Cosijn, Consul General, for arranging a meeting with his Excellency Geert Jan Hamilton, Secretary General of the Senate of the Netherlands. I thank him for organising my tour to see the nation's rich and wonderful history through a tour of the Dutch Parliament, the House of Representatives and the Senate, and the Binnenhof, which is "the oldest functioning parliamentary chamber anywhere in Europe".

While in The Hague I saw a glimpse of the Global Centre for International Law. I stopped by the International Criminal Tribunal for the former Yugoslavia and the Special Tribunal for Lebanon after a meeting with Dr Christophe Bernasconi, Secretary General of the Hague Conference on Private International Law—the World Organisation for Cross-border Co-operation in Civil and Commercial Matters. I thank Rick Mitry from Mitry Lawyers for organising this meeting.

Next I visited France. I thank His Excellency Mr Nicolas Croizer, Consul General, and express my gratitude to Emmanuelle Lavie, Chief of Administrative Secretariat of the Parliamentary Friendship Group of the French National Assembly, and to Dinah Desjardins, Executive Secretary of the France-Australia Group of the French Senate, for coordinating meetings and a tour of the French Parliament. I was delighted to meet Jacqueline Maquet, a member of the Socialist Party and Chairwoman of the Parliamentary Friendship Group of the French National Assembly. I thank her for her hospitality and warm welcome.

The final stop on the way back to Sydney was at the amazing Dubai, United Arab Emirates. I am thankful to His Excellency Dr Obaid Al Hiri Salem Al Ketbi, Ambassador, for the assistance his office has provided me. It was a pleasure to be received by members of the Federal National Council and, in particular, His Excellency Khalfan Abdullah Bin Youkha, His Excellency Majid Hamad R. Al Shami and others who extended hospitality and traditional welcome. I also thank Mr Abdullah Al Shehhi for assisting with the arrangements for this meeting. I express my gratitude to him and to Mr Moin Anwar, Commissioner, Trade and Investment—Middle East, Department of Premier and Cabinet.

Finally, I had the pleasure of visiting the University of Wollongong Dubai and met with Professor Mohamed Vall Mohamed Salem, President and Pro Vice-Chancellor (Middle East and North Africa), University of Wollongong, as well as with Brett Lovegrove, Director of Administration and Strategy. Congratulations to the university for its vision and ongoing success in the region. I thank all for making my visit a success.

### LAKE AINSWORTH SPORT AND RECREATION CENTRE

**The Hon. CATHERINE CUSACK (23:55):** Lake Ainsworth Sport and Recreation Centre is set on 118 hectares of coastal land, with buildings located in between the northern tip of Lake Ainsworth and the spectacular Seven Mile Beach at Lennox Head. Lake Ainsworth is a very much loved and popular lake. The sport and recreation facility is managed by Jason Dwyer, who has been a breath of fresh air since his arrival. The facility has gone from being separate from the community to having an attitude of engagement, supporting and consulting the village of Lennox Head.

The centre is an economic driver for Lennox Head, and visitors range from youth groups to families and visiting exchange students. It is going to receive a massive boost with the announcement by Minister Ayres of an Olympic ski-jump training facility, which will be not merely world class but also the best in the world. It will attract teams of athletes and their support staff to stay at Lennox Head. I know they will be made welcome and will bring income and jobs across the full 12 months of the year, not just the busy tourist months.

It is an exciting development, which will see the construction of huge swimming pools, creating spin-off opportunities such as hosting national water polo championships—an event at which the Northern Rivers excels. The centre is located at the end of Pacific Parade, Lennox Head's main street. That street runs parallel to the beach, providing access to Lake Ainsworth Caravan Park and Lennox Surf Club, and ends at the sport and recreation centre. It is really the most important road in Lennox Head. For reasons unclear to me, last year Ballina Council voted to close the section of Pacific Parade that runs from the surf club along the eastern side of Lake Ainsworth to the recreation centre. This cuts off access to the centre, effectively stranding it.

I made inquiries at the time and was told "it's for the environment and it's what residents want". However, the Government has clarified that it does not want the road closed or the centre stranded so it has offered to pay for the upgrade and to install drainage to satisfy any concerns of run-off from the road into the lake. It was my understanding that an alternative route was to be built and paved to circumnavigate the lake—effectively taking the long route—but I was puzzled as to how this would help the environment. I would have thought that paving all around the lake, through sensitive coastal land inhabited by swamp wallabies, would have harmed the environment. Nevertheless, it is a council matter.

Over the past week I have learnt that council has resolved to close the road without nominating an alternate route. This is now the subject of controversy. A resident's group, which was formed last year to lobby to keep the road open, has handed me a petition with 2,200 mainly local signatures imploring the council to reverse that decision. People have not only signed that petition but they have also commented—another good Lennox Head innovation—about reduced access to Seven Mile Beach for four-wheel drive owners and dog owners. This part of the lake is beautiful and very popular. Sadly, the popularity of the markets that used to be held at the lake has diminished and this has affected all of the businesses in the town.

The bottom line is that Ballina council has voted to close the road without identifying alternate access to a major State Government sport and recreation centre, nor has it worked out what residential streets it will redirect at least 2,800 cars a day through or the impact this traffic will have on one of the State's most loved and popular caravan parks. The decision it has made is opposed by the police, the rural firefighting service, the State Government and 95 per cent of local residents who were doorknocked for this petition.

The plan will consume half the budget for improving the Lake Ainsworth precinct. It will delete 70 car park spaces in the congested surf club area that service the club and the beach. It will cut a major economic driver off from the town businesses. As I said, the circumnavigation of the lake with a paved road will harm the environment. The Government has offered to re-plumb the existing road to protect the health of the lake so there can be no environmental argument for doing this. I hesitated about raising a local road issue in this Parliament but this is so dumb. I urge the council to reconsider its decision; if it does not do so, I implore the Government to intervene in the interests of plain old-fashioned sense.

**DEPUTY PRESIDENT (The Hon. Shayne Mallard):** The question is that this House do now adjourn.

**Motion agreed to.**

**The House adjourned at 00.00 until Thursday 11 August at 10.00.**