



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Sixth Parliament
First Session**

Tuesday, 22 May 2018

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Tuesday, 22 May 2018

The PRESIDENT (The Hon. John George Ajaka) took the chair at 14:30.

The PRESIDENT read the prayers and acknowledged the Gadigal clan of the Eora nation and its elders and thanked them for their custodianship of this land.

Governor

ADMINISTRATION OF THE GOVERNMENT

The PRESIDENT: I report receipt of the following message from His Excellency the Governor:

GOVERNMENT HOUSE
SYDNEY

David Hurley
GOVERNOR

General David Hurley, AC, DSC (Ret'd), Governor of New South Wales, has the honour to inform the Legislative Council that he has re-assumed the administration of the Government of the State.

Friday, 18 May 2018

Commemorations

CENTENARY OF FIRST WORLD WAR

The PRESIDENT (14:32): In late May 1918 American soldiers took part in a major battle on the Western Front for the first time. Soldiers from the 28th Infantry Regiment of the American Expeditionary Force [AEF] advanced on the town of Cantigny in the early morning of 28 May 1918 behind a rolling barrage from French artillery. With the support of two companies of the 18th Infantry, three machine gun companies and a company of engineers, the town was captured within an hour. While immediate counterattacks were easily thwarted, the Americans came under sustained bombardment throughout the day and a large-scale counterattack in the late afternoon. The town was eventually secured only with the arrival of reinforcements commanded by Major Theodore Roosevelt Jr, eldest son of the former President.

While the American victory at Cantigny was important in securing a town with a vantage point over the surrounding territory, its greatest significance was demonstrating to the French and British leadership the capacity of the inexperienced AEF. Approximately four million Americans were mobilised during the First World War and by the summer of 1918 a total of 10,000 were arriving on the Western Front every day. More than 50,000 were killed and more than 200,000 were wounded. As well as providing a critical boost in the numbers of reinforcements and relief personnel, the arrival of American soldiers greatly lifted the morale of the battle-weary Australian and other Allied troops on the Western Front. Lest we forget.

Motions

AUSTRALIAN-CROATIAN BUSINESS FORUM

The Hon. DAVID CLARKE (14:34): I move:

- (1) That this House notes that:
 - (a) on Monday 12 March 2018 the Embassy of Croatia in Australia and the Consulate General of Croatia in Sydney in cooperation with the Australian Croatian Chamber of Commerce NSW Inc. hosted the Australian-Croatian Business Forum which was held at the offices of PricewaterhouseCoopers, Barangaroo, Sydney;
 - (b) the event was attended by over 200 representatives of Australian and Croatian commercial, industrial and business enterprises, as well as Croatian community organisations, in an endeavour to promote trade links between Croatia and Australia; and
 - (c) special guests included:
 - (i) His Excellency Dr Damir Kusen, Croatian Ambassador to Australia;
 - (ii) Mr Hrvoje Petrusic, Croatian Consul-General in Sydney;
 - (iii) Ms Nives Frohlich, Croatian Consul in Sydney;
 - (iv) Mr Mark Bosnic, who was the master of ceremonies;

- (v) Jurica Matesa, representing the Croatian National Agency for Investment and Competitiveness;
 - (vi) Mr Boris Pilizota, Deputy Mayor of Osijek, Croatia;
 - (vii) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice;
 - (viii) Mr John Sidoti, MP, State member for Drummoyne, Parliamentary Secretary to Cabinet;
 - (ix) Mr Jason Hayes, PricewaterhouseCoopers;
 - (x) Mr Iannis Patin, Austrade;
 - (xi) Mr Gary Dawes, NSW Business Chamber;
 - (xii) Mr Jason Collins, European Australian Business Council;
 - (xiii) Dr Zhatan Frohlich, Croatian Chamber of Economy (Zagreb);
 - (xiv) Mr David Jakic, Australian Croatian Chamber of Commerce NSW [ACCC];
 - (xv) Ms Mirjana Cestar, ACCC; and
 - (xvi) Mr Zvonimir Kurtovic, ACCC.
- (2) That this House commends the Australian Croatian Chamber of Commerce NSW Inc. for its initiative in organising, in conjunction with the Embassy of Croatia and the Consulate-General of Croatia in Sydney, the Australian-Croatian Business Forum that was held in Sydney on Monday 12 March 2018.

Motion agreed to.

HILTON HOTEL BOMBING FORTIETH ANNIVERSARY

The Hon. DAVID CLARKE (14:35): I move:

- (1) That this House notes that:
- (a) on Tuesday 13 February 2018 the fortieth anniversary of the Hilton Hotel bombing memorial service was held at the Hilton Hotel, George Street, Sydney;
 - (b) the memorial service commemorates the events of Monday 13 February 1978 when a bomb hidden in a public receptacle and unwittingly placed into the back of a garbage truck exploded outside the Hilton Hotel, George Street, Sydney with the result that:
 - (i) two garbage collectors, Alex Carter and William Favell, were instantly killed;
 - (ii) the late Constable Paul Burmistriw, who was stationed at the hotel's entrance for the regional Commonwealth Heads of Government meeting, was fatally injured, dying nine days later;
 - (iii) former police officers, Senior Constable Terry Griffiths, Constable Rod Wither and Sergeant Arthur Hawtin were injured as were;
 - (iv) Bill Ebb, a City of Sydney Council worker;
 - (v) Carlos Quaglia, a taxi driver;
 - (vi) John Watson, council employee;
 - (vii) Kenneth McKenzie; and
 - (viii) Christine Bishop, a Hilton Hotel employee.
 - (c) the event which was organised by former Constable Terry Griffiths and the NSW Police Force was attended by several hundred mourners including:
 - (i) NSW Police Commissioner Michael Fuller, APM;
 - (ii) Australian Federal Police Acting Commissioner Leanne Close, APM;
 - (iii) Mr Walter Burmistriw, brother of the late Constable Paul Burmistriw;
 - (iv) former Constable Terry Griffiths;
 - (v) Sergeant Rod Wither;
 - (vi) members of the families of those who died;
 - (vii) the Hon. Troy Grant, MP, Minister for Police and Emergency Services;
 - (viii) Mr Luke Foley, MP, Leader of the Opposition;
 - (ix) the Hon. David Clarke, MLC, NSW Parliamentary Secretary for Justice, representing the Hon. Mark Speakman, MP, New South Wales Attorney-General;
 - (x) Councillor Clover Moore, Lord Mayor City of Sydney;
 - (xi) NSW Deputy Police Commissioner David Hudson, APM;
 - (xii) NSW Deputy Police Commissioner Catherine Burn, APM;

- (xiii) NSW Assistant Police Commissioner (Counter Terrorism and Special Tactics Command) Michael Willing, APM;
- (xiv) NSW Assistant Police Commissioner (Commander Central Metropolitan Region) Mark Walton, APM;
- (xv) Commander, State Manager Australian Federal Police, Chris Sheehan;
- (xvi) the Hon. Peter Primrose, MLC, New South Wales shadow Minister for Local Government;
- (xvii) Ms Anna Watson, MP, member for Shellharbour;
- (xviii) NSW Fire and Rescue, Superintendent Peter Stathis, AFSM;
- (xix) NSW Ambulance, Assistant Commissioner David Dutton, BM, ASM;
- (xx) Councillor Linda Scott, City of Sydney Council;
- (xxi) NSW Ambulance Chief Executive Dominic Morgan, ASM;
- (xxii) Local Government NSW Chief Executive Officer, Donna Rygate;
- (xxiii) Mark Lennon, President NSW ALP;
- (xxiv) Kaila Murnain, General Secretary NSW ALP;
- (xxv) Mark Moroney, General Secretary United Services Union; and
- (xxvi) representatives of numerous religious, professional and community organisations.
- (d) during the memorial service the National Police Service Medal and the New South Wales Police Medal were presented posthumously by the Minister for Police, the Hon. Troy Grant, MP, to the brother of the late Constable 1st Class Paul Burmistriv, Mr Walter Burmistriv.
- (2) That this House extends condolences, on the fortieth anniversary of the Hilton Hotel bombing, to the surviving members of the families of those who died as a result of injuries sustained in that tragedy, namely Constable Paul Burmistriv, Mr Alex Carter and Mr William Favell.

Motion agreed to.

MARONITE BOOK LAUNCH

The Hon. DAVID CLARKE (14:35): I move:

- (1) That this House notes that:
 - (a) on Tuesday 13 February 2018 a dual book launch of *An Introduction to the Maronite Faith* written by Reverend Father Dr Yuhanna Azize, and *Aramaic Catholicism, Maronite History and Identity: A Journey from the Ancient Middle East to the Modern West* written by Mr Peter J. El Khouri organised by the Australian Maronite Professionals Council was held in the Jubilee Room, New South Wales Parliament, and attended by numerous members of the New South Wales Parliament and 150 members and friends of the Maronite Catholic community;
 - (b) the book launch event was hosted by the Hon. John Ajaka, MLC, President of the NSW Legislative Council, and held in the presence of:
 - (i) His Lordship Bishop Antoine-Charbel Tarabay, Maronite Catholic Bishop of Australia;
 - (ii) the Hon. Gladys Berejiklian, MP, Premier; and
 - (iii) Mr Luke Foley, MP, Leader of the Opposition.
 - (c) the master of ceremony was Professor Carole Cusack, Department of Studies in Religion, University of Sydney, with guest speaker being Emeritus Professor Garry Trompf, Department of Studies in Religion, University of Sydney.
- (2) That this House:
 - (a) congratulates Reverend Father Dr Joseph Yuhanna Azize and Mr Peter J. El Khouri on the launch of their respective books, both of which will serve to enlighten the wider community on the illustrious history and faith of the Maronite Catholic community; and
 - (b) extends greetings to the Maronite Catholic Church and Maronite community in Australia and commends them for their ongoing social, humanitarian and religious contribution to our nation and State.

Motion agreed to.

COUNTRY HOPE FIFTEENTH ANNIVERSARY

The Hon. WES FANG (14:35): I move:

- (1) That this House notes that:
 - (a) in May 2018 Country Hope celebrated 15 years of service to the Riverina community;

- (b) Country Hope provides family centred support programs to country children diagnosed with cancer and other chronic life threatening illnesses; and
- (c) on average, 17 families are assisted by Country Hope every year across the Riverina region.
- (2) That this House congratulates Country Hope on celebrating its fifteenth anniversary and in particular acknowledges the work of the current Board of Directors:
 - (a) Kerry Flinn, Chairman;
 - (b) John Studdert, Vice Chairman;
 - (c) Yvonne Braid, General Director;
 - (d) Kerry Pascoe, General Director;
 - (e) Simone Eyles, General Director;
 - (f) Dianna Somerville, General Director;
 - (g) Sally Whitley, General Director; and
 - (h) Pat Barrett, Secretary.
- (3) That this House recognises the efforts of former board members who have helped Country Hope over the past 15 years:
 - (a) Alan Lean;
 - (b) Babs Donaldson, OAM;
 - (c) Ged Madden;
 - (d) Steve Dwyer;
 - (e) Rod Dunlop;
 - (f) Peter Walsh;
 - (g) Dr Lee Jeffery; and
 - (h) Kirstie Cole.
- (4) That this House commends the continued work of Country Hope and acknowledges the dedication of the volunteers and carers towards making this locally owned and operated charity such an important part of the Riverina community.

Motion agreed to.

WEETHALLE SILO ART PROJECT

The Hon. WES FANG (14:36): I move:

- (1) That this House notes that:
 - (a) the Weethalle Silo Art Project, depicting a shearer holding a merino sheep and a farmer inspecting his golden crop of wheat, has been chosen as part of Australia Post's collector's edition stamps celebrating Australia's iconic silo art;
 - (b) the Weethalle Silo Art Project was commissioned by Bland Shire Council in consultation with silo owners Paul and Jenny Northey and painted by Melbourne-based artist Heesco Khosnaran; and
 - (c) opened in July 2017, the mural represented the first silo artwork in New South Wales, drawing in thousands of visitors to the region since its launch.
- (2) That this House congratulates Bland Shire Council, Paul and Jenny Northey, Heesco Khosnaran and all those involved in the making of the Weethalle Silo Art Project, on their recognition by Australia Post.

Motion agreed to.

OPEN STUDIOS BALLINA, BYRON AND BEYOND

The Hon. BEN FRANKLIN (14:36): I move:

- (1) That this House notes:
 - (a) that Open Studios Ballina, Byron and Beyond was held on 5, 6, 12 and 13 May 2018; and
 - (b) 16 local art studios opened their doors to share their art and workshops with the community.
- (2) That this House congratulates:
 - (a) the local artists who opened their studios:
 - (i) Jacqueline King, contemporary glass artist;
 - (ii) Maria Heaton, fine art;
 - (iii) June Hoffman, Clare Street Art Studio;

- (iv) Dellene Strong, Del Strong Art;
 - (v) Deb McFarlane, textile artist;
 - (vi) Jenny Hughes, pottery artist;
 - (vii) Paul Button, Sunrise Arts;
 - (viii) Lesley Ryan's arts team;
 - (ix) Kay Knights, Kay Knights Art Studio;
 - (x) Karyn Fendley, fine arts;
 - (xi) Sharon McIlwain, Sharon McIlwain Art;
 - (xii) Angela Parr, Bingara Studio and Gallery;
 - (xiii) Hammer and Hand Metal and Jewellery Collective;
 - (xiv) Turiya Bruce, mixed media artist;
 - (xv) Heather Stevenson, Goosehouse Designs Mosaic Arts;
 - (xvi) Caroline McKay, Etchings, Oils and Collages; and
 - (xvii) Steve Trevethick, Ecstatic Ceramics Pottery.
- (b) Open Studio's organisation committee for all its work in organising the event including Paul and Esther Button, John and Maria Heaton and Angela Parr.
- (3) That this House acknowledges the importance of artists in celebrating and promoting the identity of local communities, particularly in regional areas.

Motion agreed to.

BEST OF THE BALD ARCHY PRIZE EXHIBITION

The Hon. WES FANG (14:36): I move:

- (1) That this House notes that:
- (a) this year marked the twenty-fifth anniversary of the iconic the Bald Archy Prize, a satirical parody of the revered Archibald Prize;
 - (b) the Bald Archys were first formed in 1994 in Coolac by Peter Batey, OAM;
 - (c) in an Australian first, the Museum of the Riverina gathered all of the winning entries for a three-month exhibition in a look back at the best and most irreverent portraits of the last 25 years; and
 - (d) the exhibition saw 5,359 people visit the Museum of the Riverina, representing a major boost in tourism for the region.
- (2) That this House congratulates Museum of the Riverina manager Luke Grealy and his team on the success of the 2018 "The Best of the Bald Archy Prize" exhibition.

Motion agreed to.

BYRON SHIRE PROPERTY SALES OCEAN SWIM CLASSIC

The Hon. BEN FRANKLIN (14:37): I move:

- (1) That this House notes that:
- (a) the thirty-first annual Byron Shire Property Sales Ocean Swim Classic and the Byron Bay Mitre 10 Mini Swim were held on Sunday 6 May 2018 at Main Beach in Byron Bay;
 - (b) more than 1,200 local and interstate swimmers took part in this year's race; and
 - (c) the event raised \$70,000 which will go towards local community groups including the Byron Surf Life Saving Club, the Westpac Rescue Helicopter, local swimming clubs and marine rescue units.
- (2) That this House congratulates:
- (a) winners of the elite Superfish division:
 - (i) men's section, Riley Clout; and
 - (ii) women's section, Chloe Butt.
 - (b) winners of the mini swim:
 - (i) boys' section, Nick Bulloch; and
 - (ii) girls' section, Madeleine Ewing.
- (3) That this House expresses its appreciation to everyone who helped organise this year's event, including:

- (a) the Byron Bay Winter Whales swimming group;
- (b) the Byron RSL Swimming Club; and
- (c) the Byron Bay Surf Life Saving Club.

Motion agreed to.

RSA STREET STOCKERS TITLE WINNER SHANE CARLSON

Mr SCOT MacDONALD (14:37): I move:

- (1) That this House notes that:
 - (a) on Saturday 12 May 2018, veteran speedway driver Shane Carlson of Raymond Terrace won the RSA Street Stockers 2018 Australian title at Sydney's Valvoline Raceway;
 - (b) Mr Carlson is a veteran of 30 years in the sport claiming his first Australian title from a quality field, including 2016 winner, Maitland's Blake Eveleigh; 2018 New South Wales champion Brendan Wakeman; and Kurri's racing siblings John Lodge Jnr and Kiona Sunerton; and
 - (c) this is Mr Carlson's first Australian title in his 30 years of competing in the highly contested category.
- (2) That this House congratulates Mr Shane Carlson on his winning the RSA Street Stockers 2018 Australian title.

Motion agreed to.

ROTARY CLUB OF GUYRA PRIDE OF WORKMANSHIP AWARDS

Mr SCOT MacDONALD (14:37): I move:

- (1) That this House notes that:
 - (a) on Friday 27 April 2018 at Rafters restaurant, Guyra, the Rotary Club of Guyra presented its Pride of Workmanship Awards;
 - (b) the awards were presented by Guyra Rotary President, Jenny Cumming, and Vocational Services Director, David Pearson; and
 - (c) nine Guyra residents received the Pride of Workmanship Award:
 - (i) Taylah Brazier, Sue Ross Real Estate;
 - (ii) Alecia Blair, Indigenous youth worker at the Hub;
 - (iii) Matthew Frizell, teacher at St Mary of the Angels School;
 - (iv) Norm Gooley, Costa Tomato Exchange;
 - (v) Jake Mayled, chef at Rafters restaurant;
 - (vi) Caroline Atkins, Kolora Aged Care;
 - (vii) Jessica Newberry, teacher at Guyra Central School;
 - (viii) John Jackson, Guyra Men's Shed Supervisor; and
 - (ix) Leonie Taylor, Guyra office supervisor at the New England Community College.
- (2) That this House acknowledges the outstanding work in the Guyra community of the Rotary Club and congratulates all Pride of Workmanship Award recipients on their service and dedication.

Motion agreed to.

Committees

JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

Government Response: Preference Counting in Local Government Elections in NSW

The Hon. SCOTT FARLOW: I table the Government response to report No. 3/56 entitled "Inquiry into preference Counting in Local Government Elections in New South Wales", tabled on 22 November 2017. I move:

That the report be printed.

Motion agreed to.

Documents

TABLING OF PAPERS

The Hon. SCOTT FARLOW: I table the following paper:

Disability Inclusion Act 2014—Report of the Department of Family and Community Services entitled "NSW Disability Inclusion Plan Update 2017", dated October 2017.

I move:

That the report be printed.

Motion agreed to.

Committees

LEGISLATION REVIEW COMMITTEE

Report: Legislation Review Digest No. 55/56

The Hon. NATASHA MACLAREN-JONES: I table the report of the Legislation Review Committee entitled "Legislation Review Digest No. 55/56", dated 22 May 2018. I move:

That the report be printed.

Motion agreed to.

SELECTION OF BILLS COMMITTEE

Reports

The Hon. NATASHA MACLAREN-JONES: I table report No. 7 of the Selection of Bills Committee, dated 22 May 2018. I move:

That the report be printed.

Motion agreed to.

I move:

- (1) That:
 - (a) the provisions of the Forestry Legislation Amendment Bill 2018 be referred to the Standing Committee on State Development for inquiry and report;
 - (b) on the President reporting receipt of a message from the Legislative Assembly forwarding the Forestry Legislation Amendment Bill 2018 for concurrence, the bill be referred to the Standing Committee on State Development for inquiry and report, and;
 - (c) the committee report by 5 June 2018.
- (2) That the following bills not be referred to a standing committee for inquiry and report this day:
 - (a) Road Transport and Other Legislation Amendment (Digital Driver Licences and Photo Cards) Bill 2018;
 - (b) Health Legislation Amendment Bill (No 2) 2018;
 - (c) Road Transport Legislation Miscellaneous Amendments Bill 2018;
 - (d) Electoral Funding Bill 2018;
 - (e) Electricity Supply Amendment (Fair Price for Solar and Other Renewable Sources of Electricity) Bill 2018;
 - (f) Public Health Amendment (Safe Access to Reproductive Health Clinics) Bill 2018, and;
 - (g) Defend TAFE Bill 2018.

Motion agreed to.

Documents

INDEPENDENT REVIEW OF OUT OF HOME CARE IN NEW SOUTH WALES

Return to Order

The CLERK: According to resolution of the House of 17 May 2018, I table correspondence relating to an order for papers regarding the Tune report on the out-of-home care system, received on 21 May 2018 from the Secretary of the Department of Premier and Cabinet, stating that the relevant offices and departments hold no documents covered by the terms of the resolution.

SYDNEY STADIUMS

Report of Independent Legal Arbiter

The CLERK: According to resolution of the House of 15 March 2018, I inform the House that I have received this day the report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, QC, dated 22 May 2018,

on the disputed claim of privilege on papers relating to Sydney stadiums, together with submissions tendered to the Independent Legal Arbitrator. I advise that the report is available for inspection by members of the Legislative Council only.

Visitors

VISITORS

The PRESIDENT: On behalf of all members, I welcome into the President's gallery Mr Kirti Vardhan Singh, Mr Parvesh Sahib Singh and Mr Narendra Keshav Sawaikar, who are members of the Lok Sabha of the Parliament of India. They are visiting the New South Wales Parliament today, accompanied by Ms Katherine Storey of the Australian High Commission in New Delhi and Mr Paul Manoharan, Manager, India, Department of Industry. They are most welcome. I hope they enjoy their time at Parliament House. I look forward to meeting them later this afternoon.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. DON HARWIN: I move:

That Government Business Notice of Motion No. 1 be postponed until a later hour.

Motion agreed to.

Committees

PUBLIC ACCOUNTABILITY COMMITTEE

Reference

Reverend the Hon. FRED NILE: In accordance with paragraph 10 of the resolution of the House establishing the Public Accountability Committee, I inform the House that this day the committee resolved to adopt the following terms of reference:

- (1) That the Public Accountability Committee inquire into and report on the impact of the construction of the CBD and South East Light Rail Project ["the project"] on residents and businesses in the vicinity of the light rail route, including:
 - (a) the adequacy of the Government's response to the financial impact and diminution in social amenity caused by the project on residents and businesses including access to financial compensation and business support services;
 - (b) the appropriateness and adequacy of the financial compensation process established by the assessment process and consistency of outcomes;
 - (c) the effectiveness of the government's communication with residents and businesses concerning project delays and financial compensation; and
 - (d) any other related matters.
- (2) That the committee report by 1 December 2018.

Bills

ROAD TRANSPORT LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2018

Second Reading Debate

Debate resumed from 16 May 2018.

The Hon. PENNY SHARPE (15:12): I lead for the Opposition in this House regarding the Road Transport Legislation Miscellaneous Amendments Bill 2018. I state from the outset that Labor does not oppose this legislation. The aim of this short bill is to give effect to national road reforms for the harmonisation of heavy vehicle numberplates, registration and enforcement, as well as other minor amendments. The bill will amend the Road Transport Act 2013 and associated regulations to recognise national numberplates for heavy vehicles, increase the maximum penalties for certain parking offences under the Local Government Act 1993, increase the maximum penalties for the use of motor vehicles that are unregistered or on which tax has not been paid under the Motor Vehicles Taxation Act 1988 and make minor amendments to the Heavy Vehicle (Adoption of National Law) Act 2013 in anticipation of the proposed amendments to the Heavy Vehicle National Law in relation to the national scheme for the registration of heavy vehicles.

We know that historically vehicles are registered in the jurisdiction in which they are based, with the exception of the interstate plate system for heavy vehicles, known as the Federal Interstate Registration Scheme, or FIRS. This scheme recognises that some heavy vehicles, such as trucks and coaches, undertake a large amount

of work and transit between States. This interstate numberplate system is described by NSW Roads and Maritime Services as being "solely for interstate trade or commerce operations". However, there are reports of widespread rorting of the scheme, where heavy vehicles operating in New South Wales, but registered under the FIRS in a jurisdiction other than New South Wales, are doing very little, if any, interstate work. This is occurring because heavy vehicle registration has historically been cheaper in States like Victoria and Queensland, which means that heavy vehicles doing interstate work in either or both of these States are in effect incentivised to register there under FIRS at a lower cost. Of course, this has the effect of also attracting the registration of heavy vehicles that are not undertaking interstate work but can still register interstate under the scheme at a lower cost.

The outcome of this for New South Wales is that the registration revenue is captured in other jurisdictions and not here, even where heavy vehicles might be operating solely within New South Wales. In a manner similar to the interstate transport of waste to avoid higher levies applied in New South Wales, this has the potential to cost New South Wales millions of dollars in revenue every year. The provisions in this bill should over time stop the rorting associated with the FIRS, and provide a greater proportion of heavy vehicle registration to New South Wales, and Labor supports this move. The changes should also make it easier for transport companies and other fleet owners to manage their registration more easily—for example, when vehicles are relocated or where fleets are based in more than one jurisdiction. I note the laws are intended to take effect from 1 July 2018 and, appropriately, will not apply retrospectively.

As mentioned, the bill also aligns New South Wales with the Heavy Vehicle National Law. I note the main changes to be implemented progressively throughout 2018 include chain-of- responsibility and investigation and enforcement reforms. Chain-of-responsibility provisions will ensure all parties in the supply chain share responsibility for ensuring the law is complied with. I thank the Transport Workers Union [TWU] in particular for its many decades of working in this area—important work that is ongoing and will save the lives of truck drivers all across Australia. This important work means that, for instance, a truck driver would not necessarily be held liable for a breach of the law when it was clear the responsibility for the breach lay somewhere else in the supply chain. I am sure that my colleague the Hon. Daniel Mookhey will have a lot to say about this later in the debate. I am advised chain of responsibility has broad industry support, and it is important to ensure that duties and responsibilities apply to all parties in the transport chain. This will help to avoid previous instances in which, for example, truck drivers as the final point of a supply chain would be blamed for actions or omissions of others within the chain.

The bill also better aligns heavy vehicle law with workplace health and safety law, also supported by the industry. The TWU has also done much work in this area for a long time. It is here that I will make mention of areas relating to the regulation of heavy vehicles in New South Wales that hold concern for Labor, and the shadow Minister in the other place will no doubt expand upon these. We have concerns that the Government is not taking stronger action when it comes to heavy vehicle safety more broadly. Too often heavy vehicles are involved in some of the worst and most serious road accidents around our State. Labor has called on the Government to look at different and innovative approaches in order to reduce the road toll. As the Labor Opposition has noted before, the approach to improving safety on New South Wales roads has changed very little in the past 10 years. That is why Labor proposed the parliamentary inquiry into road safety. Labor members believe that the inquiry would be a transparent way of looking at what we have been doing versus what we need to be doing, including examining best practice approaches globally.

As my colleague the shadow Minister for Roads has previously indicated, the inquiry would focus on those factors that contribute to the rising death toll such as speed, fatigue, driver distraction, alcohol and drug use, and vehicle and road conditions, as well as current road safety programs for all types of vehicles and drivers, especially those who drive heavy vehicles. Unfortunately this inquiry has not been supported by the Government. I understand that the Government believes that the Joint Standing Committee on Road Safety, better known as the Staysafe committee, is investigating heavy vehicle safety, but this is not progressing as Labor had hoped. I renew Labor's calls for a broader inquiry to try to prevent motor vehicle accident deaths on our roads and keep drivers safe. Labor remains committed to enhancing road safety and looking at all new approaches that would bring down the road toll, and will await the findings of the Staysafe investigation in relation to heavy vehicles.

The bill before us today will also establish a national registration database to improve compliance by assisting agencies in checking registration against compliance sensibly through a single database, rather than one database for each jurisdiction plus the FIRS database. This should result in greater confidence for transport operators and improve efficiency and reliability across the board. In addition, Labor supports increases to the monetary penalty that a court may impose for certain offences, particularly for the offence of a person using a motor vehicle that is unregistered or the use of a vehicle on which tax has not been paid. It was of great concern to hear during the introduction of the bill that statistics show that in the 2016-17 financial year 5,675 penalty notices were issued for these offences.

As was noted in the second reading speech, these are serious offences because they essentially relate to unregistered vehicles, and such vehicles may also be uninsured and unroadworthy and are unlikely to be covered by compulsory third party insurance. This creates a very precarious situation in which people in the driver's seat of unregistered vehicles in an at-fault accident could be held personally liable for compensation to any person injured. All steps should be taken to avoid such circumstances, and any deterrent action that we can initiate from the Parliament should be supported. Labor supports the bill.

Dr MEHREEN FARUQI (15:19): On behalf of The Greens I speak briefly in debate on the Road Transport Legislation Miscellaneous Amendments Bill 2018. This bill will do a number of things, including amending the Road Transport Act 2013 and the regulation to recognise national numberplates for heavy vehicles. The bill also makes minor amendments to the Heavy Vehicle (Adoption of National Law) Act 2013 in anticipation of proposed amendments to the Heavy Vehicle National Law—the national scheme for the registration of heavy vehicles. The bill also increases the maximum court penalties for certain parking offences and for certain offences relating to the use of unregistered vehicles on which tax has not been paid. I understand that these are being increased to bring the court penalties in line with maximum penalty notice amounts but providing for a buffer for consumer price index [CPI] increases in the future and that under the law this needs to be done. What I do not understand is why this is being hidden away in a bill that deals mainly with heavy vehicles. The community needs to know openly and transparently if fines are being jacked up and what the justification is for this.

The Greens support the Heavy Vehicle National Law process because no State is an island and trucks crisscross Australia's many State borders. Members know I would prefer that much more of our freight is carried on rail rather than road. The Government must take responsibility for making this a reality. Members may be interested to know that the Heavy Vehicle (Adoption of National Law) Amendment Bill 2013 was the second bill I ever spoke on in this place. It is good to see that the reforms on the Heavy Vehicle National Law continue, even if it has taken almost five years.

I will reiterate what I said in 2013 on what must be paramount when we are dealing with heavy vehicles, and that is driver safety. Sadly, trucking continues to be a deadly business. In the year ending September 2017 there were 54 deaths in New South Wales from crashes involving articulated trucks. That is an increase of 86 per cent from the previous year. We need to wake up to the reality that the way this industry is structured, and the unrealistic expectations placed on drivers, leads to fatigue, which leads to accidents and sadly deaths. This needs to be addressed urgently.

The Hon. DANIEL MOOKHEY (15:22): I make a modest contribution to the debate on the Road Transport Legislation Miscellaneous Amendments Bill 2018. I concur with the comments of the Hon. Penny Sharpe as she set out Labor's position on this bill. I join with her description of the necessary reforms that are required to the Federal system of regulation, the Federal Interstate Registration Scheme [FIRS]. That system had its origins at a time when, in the absence of a national coherence between the States, many operators put pressure on the Commonwealth to establish a scheme such as FIRS so that they could engage in interstate commerce. It is equally true that over time that scheme evolved into a form of circumvention. Many heavy vehicle operators—particularly from the less desirable aspects of the industry—would register their vehicles with FIRS knowing that by doing so they would be avoiding the authority of the State regulators.

That was a huge impediment to New South Wales because 80 per cent of all Australian heavy vehicle movements travel through this State. Many people were prepared to use the weaker forms of Federal legislation to avoid the safety obligations that were imposed upon them under New South Wales law. It is a credit to Anthony Albanese, amongst others, that in his role as the Federal Minister for Infrastructure and Transport, with an element of bipartisan support, he resolved through the National Transport Commission to remove many of those regulatory impediments by establishing the National Heavy Vehicle Regulator and Heavy Vehicle National Law. This removed the incentive operators had to register under FIRS in order to avoid their obligations under State laws.

It is not the case that all of the costs of enforcement are being properly realised by the jurisdictions that imposed them. In addition to the incentive that operators had to participate in FIRS to avoid State laws, the Commonwealth had that incentive to attract their registration fees. That did great damage to the then Roads and Transport Authority [RTA], and the then Roads and Maritime Services [RMS] because it was through those registration fees that the cost of enforcement was to be recovered by New South Wales taxpayers. We had a scenario where the Commonwealth was quite happy to trade off their weaker regulatory system in order to obtain the revenue advantage at the expense of New South Wales.

This is an area in which both sides of politics in New South Wales have been calling out for reform. It was initiated by the former Labor Government and continued by the Hon. Duncan Gay when he was the Minister for Roads, Maritime and Freight to ensure that New South Wales was not being short-changed with the large amount of money spent on heavy vehicle enforcement on behalf of other States. To the extent to which this bill adds to that reform process it is a welcome step forward. Its precise impact remains to be seen but every

opportunity is welcome to ensure that FIRS is used for its genuine purpose and not to either circumvent safety regulations or otherwise defraud the people of New South Wales from the money that they are properly owed.

The second aspect of this bill touches upon the chain of responsibility requirements, in perhaps the most incidental way possible. In recent times the House has embraced the concept of supply chain regulation. I note the presence of the Hon. Paul Green in the House, who applied a similar supply chain approach in the Modern Slavery Bill. We ought to acknowledge the origins of all such schemes. They are in the regulation that first started in the textile, clothing and footwear industry, then moved to the road transport area, and has been applied in road transport in this State since 1995 in a variety of circumstances. We led this jurisdiction and we led the development of this area of law across the Commonwealth. We lead the world with some of our safety chain of responsibility laws. On paper they are good laws. They apportion legal responsibility to those who have control over a task, and that is the principle from which it should be evolved. It avoids such scenarios as who plays a particular definitional role in the transport movement but allocates it according to power. The problem now is that the way in which that is being enforced is a cause for concern, especially since 2012.

Recently it was discovered that since 2012, using its chain of responsibility laws, the RMS has issued only five penalty notices against consignors or consignees—those at the top of the chain with the most power, authority and control over how a freight task is performed. In the same period 55 penalty notices were issued to transport operators—those people lower in the chain. We do not know the data with respect to truck drivers. This is at a time when all the evidence shows that to make a decisive impact on heavy vehicle safety, enforcement has to be addressed at the top of the chain, especially against the most powerful retailers who are responsible for approximately 72 per cent of Australia's freight movements. They are the people who should be properly scrutinised under the chain of responsibility laws. I have absolutely no confidence that the Government will use its new powers under this bill to properly address enforcement attention to those at the top of the chain.

The Government has never exhibited a habit of apportioning responsibility to those to whom it belongs. It continues to send out its inspectors to the weaker links of the chain. For as long as it does that, no matter how many laws we pass there will be no decisive impact on heavy vehicle safety. I note that in the past 12 to 18 months there has been an explosion of heavy vehicle accidents in New South Wales. We are now approaching some of the worst statistics in our industry when it comes to heavy vehicle enforcement. That is a cause of concern for everybody. Too many people are dying on our roads as a result of heavy vehicle accidents or incidents. Federal Labor had good reforms that would have addressed this issue through its safe rates legislation. That was applied by Federal Labor and then removed. We can pass as many bills such as this as we want but until we have legislation in a decisive way we are not going to have decisive impact.

The Hon. PAUL GREEN (15:28): On behalf of the Christian Democratic Party I speak in debate on the Road Transport Legislation Miscellaneous Amendments Bill 2018. The bill amends the Road Transport Act 2013 to give effect to the national heavy vehicle reforms through harmonising registration practices, including the introduction of national heavy vehicle numberplates as well as stronger compliance and enforcement powers to better administer the Heavy Vehicle National Law. The bill also enhances compliance with vehicle tax obligations and parking offence provisions. A number of important heavy vehicle reforms are being introduced following agreements made by the Transport and Infrastructure Council, known as "the council". These include the introduction of a new heavy vehicle national numberplate from 1 July 2018, as approved by the council in November 2016. This is part of ongoing efforts by States and Territories to harmonise heavy vehicle registration arrangements, reduce red tape and deliver greater benefits to the industry through streamlined registration processes.

The reforms also change the Heavy Vehicle National Law approved by the council in June 2016 to improve heavy vehicle safety by strengthening the chain of responsibility and executive officer liability, through the introduction of a primary safety duty for all parties in the chain. This recognises that responsibilities will rest with all parties, not just the driver. I acknowledge some of the input from the Hon. Daniel Mookhey. I also acknowledge the contribution of Reverend the Hon. Fred Nile. His legislation—which was introduced, I think, in 1986—with respect to the Therapeutic Good Administration went global and now sets the standard, as I learnt recently when researching the Modern Slavery Bill 2018. The final reform introduced by the bill provides for greater national consistency in investigation and enforcement powers to improve the administration and enforcement of the Heavy Vehicle National Law, as approved by the council in November 2017. The council also approved the establishment of a nation registration database that will interface with existing systems maintained by jurisdictions.

Harmonisation of heavy vehicle laws across Australia is a good thing, and this legislation makes complying with the rules pretty simple. Sometimes motorists are faced with inconsistencies and complexities in the law. I know that in the Shoalhaven a lot of heavy vehicles travel to the coast from the south-west of the State. The red tape applying to limitations on the mass loads that bridges can carry is sometimes stupid, and results in

inconsistent rules for B-double and B-triple trucks. Little things like that are annoying because, for an old Pacific Highway bridge like the one crossing the Shoalhaven, it is common sense that the limit for the total mass on the bridge is the relevant standard.

I know the trucking industry will be happy with some of the reforms introduced by this bill because it will keep the community safe. There are too many truck accidents. Some heavy vehicle drivers take drugs to stay awake in order to meet deadlines imposed on them by retailers of food and other products. Somebody needs to be held accountable in that respect because most drivers are just trying to feed their kids and put a roof over their heads. They want to do that in the best way they can but when they are given strict deadlines to be at a certain destination by a certain time—a deadline that is nearly impossible to meet—they are being set up to fail. So it is good to see that some of this responsibility is to be shared with the organisations. We commend the bill to the House.

The Hon. RICK COLLESS (15:33): On behalf of the Hon. Don. Harwin: In reply: I thank all members who contributed to debate on the Road Transport Legislation Miscellaneous Amendments Bill 2018—the Hon. Penny Sharpe, Dr Mehreen Faruqi, the Hon. Daniel Mookhey and the Hon. Paul Green. I commend the bill to the House.

The ASSISTANT PRESIDENT (Reverend the Hon. Fred Nile): The question is that this bill be now read a second time.

Motion agreed to.

Third Reading

The Hon. RICK COLLESS: On behalf of the Hon. Don. Harwin: I move:

That this bill be now read a third time.

Motion agreed to.

HEALTH LEGISLATION AMENDMENT BILL (NO 2) 2018

Second Reading Debate

Debate resumed from 16 May 2018.

The Hon. WALT SECORD (15:35): As the shadow Health Minister and Deputy Leader of the Opposition in the New South Wales Legislative Council, I lead for Labor in debate on the Health Legislation Amendment Bill (No 2) 2018. On 16 May, Parliamentary Secretary the Hon Bronnie Taylor gave a comprehensive second reading speech and I note that it canvassed many of the matters contained in the bill. I also note that the health Minister's office kindly provided a briefing note on the bill sometime before its actual introduction. I appreciate the gesture. It allowed my office time to closely examine the bill, as it was introduced into the Legislative Council first. Labor will not oppose the bill; however, I will make a number of observations on the bill and health policy in New South Wales.

The bill deals mainly with two areas of health policy: failures by the Berejiklian Government to rein in the so-called "cowboys" in the cosmetic surgery industry; and the area of public health warnings about operators. Both matters have been prominent in the community recently. The Berejiklian Government has been very slow to act on those issues, as it has been slow to act in so many other health policy areas. Unfortunately, under the Liberals and The Nationals New South Wales has assumed the mantle of being first in so many categories when it comes to health. The State has longest waits for elective surgery in Australia. It has the longest waiting list for elective surgery, surging to almost 76,000 patients. That is 10,000 more than when the Liberals and The Nationals were elected eight years ago. New South Wales has the longest wait in mainland Australia for ambulances. Furthermore, we have a Government that does not tell the community in a timely manner when it is unsafe to eat certain foods like rock melon and pomegranates.

New South Wales also has a Government that has bungled the rollout of vaccinations. There is not enough flu vaccine for the elderly in certain parts of the State. That puts the elderly and the vulnerable in jeopardy. Instead, this Government is more interested in spending more than \$2.2 billion on stadiums and billions of dollars on a North Shore tunnel, on forcing a move of the Powerhouse Museum and on overseeing massive cost blowouts on light rail and WestConnex, rather than properly supporting our health and hospital system. The New South Wales Government may say that it builds hospital facilities, but it does not staff them properly. There is a ludicrous situation at South East Regional Hospital in Bega. Waiting times in the emergency department of the brand-new hospital, and for elective surgery, are longer than they were in the old, clapped-out hospital. That is extraordinary. There are not enough doctors, nurses and allied health workers—the basic staff that a hospital needs.

We have a health and hospital system that lurches from crisis to crisis, and we have a Premier who is simply not up to the job. This Government has the wrong priorities. It has been eight long years and the health and hospital system under Gladys Berejiklian, Mike Baird and Barry O'Farrell—the conga line of Premiers—has got worse, not better. Make no mistake, New South Wales is in this situation because of the Liberals and The Nationals and their management of the health and hospital system. But I digress; I thank the Hon. Bronnie Taylor for bringing me back to the bill. Sadly, over the past three years there have been a number of high-profile matters involving the New South Wales cosmetic surgery sector, including a tragic death last year. In late August, Ms Jean Huang, who was 35 at the time and managed the salon in question, underwent a procedure at the Medi Beauty Clinic in Chippendale. She subsequently died at the Royal Prince Alfred Hospital. A tourist, 33-year-old Jie Shao, administered a local anaesthetic and breast filler to Ms Huang, despite having no medical qualifications in Australia. Sometime afterwards, a second woman involved in the case was also charged with manslaughter. I will not go into any further details as the matter is now before the courts.

As members are aware, while some may regard the pursuit of cosmetic surgery as frivolous, the mistakes or errors in the cosmetic surgery sector can be deadly. Therefore, it is important to act. After all, it is a sector that is continuing to grow. For example, the Aesthetics Practitioners Advisory Network says that about 1,000 beauty salons around Australia offer cosmetic injections such as botox and fillers in an industry worth \$1 billion a year. That is extraordinary. Recently, at a hearing of the Health Care Complaints Commission, the chair, Sue Dawson, spoke about the increase in the number of operators in so-called new areas of the beauty sector and the complaints load that resulted from their practices. Therefore, the changes introduced in the bill are welcome, but they do not go far enough and, as I said, the response from the Berejiklian Government has been very slow. I will return to the deficiencies later.

I turn to the bill before the House. This is a bill for an Act to make miscellaneous amendments to various Acts that relate to health and associated matters. It makes a range of amendments to: the Health Care Complaints Act 1993; the Health Practitioner Regulation (Adoption of National Law) Act 2009; the Poisons and Therapeutic Goods Act 1966; the Private Health Facilities Act 2007; and the Public Health Act 2010. The objects of the bill are as follows:

- (a) to amend the Health Care Complaints Act 1993 to require certain information about a person whose registration as a registered health practitioner is cancelled or suspended as a result of disciplinary proceedings to be made publicly available,
- (b) to make miscellaneous amendments to the Health Practitioner Regulation (Adoption of National Law) Act 2009 with respect to reviews and appeals, the powers of authorised persons, suspension of registration and the membership of an Assessment Committee of a Council for a health profession,
- (c) to amend the Poisons and Therapeutic Goods Act 1966 to impose requirements in respect of certain substances and goods that may be used for cosmetic and other purposes,
- (d) to amend the Private Health Facilities Act 2007 to create an offence of performing certain services or treatments at certain private health facilities, and to provide authorised officers with the power to require a person to answer questions or provide information and documents,
- (e) to amend the Public Health Act 2010 to permit the Chief Health Officer to make public a statement identifying and giving warnings or information about a risk to health or safety, to exclude compensation for defamation for statements made under that Act and to clarify the meaning of de-registered health practitioner.

As I said earlier, the Parliamentary Secretary has canvassed the bill extensively. However, I will make some minor observations. First, I understand that a recent review conducted by NSW Health into the cosmetic surgery uncovered concerns about the adequacy of the qualifications and supervision of persons administering these medicines in some cosmetics clinics. In response, the bill will amend the Poisons and Therapeutic Goods Act to enable additional controls relating to the possession, manufacture, supply, use, prescription, administration, disposal and/or storage of medicines used in cosmetic procedures such as botox and dermal fillers. I also note that penalties for breaches will range from \$5,500 to \$110,000. I would like to the Parliamentary Secretary to clarify how the changes will affect the use of botox when it is used correctly to treat serious medical conditions such as spasticity in cerebral palsy, urinary incontinence and migraine prophylaxis.

Secondly, I understand that the recent review conducted by NSW Health also found that there were concerns about products imported from Asia that are not approved for use in Australia and which are of unknown quality, safety and efficacy being used in some cosmetic clinics. How does the Berejiklian Government intend to respond to those imported products because importation is a Federal responsibility? I would like further details from the Parliamentary Secretary in her reply. The Labor Opposition fully supports moves to make it an offence for a person to perform prescribed services or treatments in an unlicensed private health facility. The new offence complements changes made to the Private Health Facilities Regulation in 2016, which at the time introduced a requirement for certain high-risk cosmetic surgical procedures, such as breast and tummy procedures, to take place in a licensed private health facility. It is an offence under the Act for a person to conduct an operation in an

unlicensed private health facility. However, the Act falls significantly short in that it does not make it an offence for a person to perform one of these high-risk cosmetic surgical procedures in an unlicensed facility.

At present, if a person knowingly performs a breast augmentation procedure in an unlicensed facility, they are not guilty of an offence unless the person is also responsible for running the facility itself. The new section 33A will ensure that practitioners performing cosmetic surgery are responsible for checking that the facility they are operating in is licensed as well as safely performing the procedure. It will be a defence if the defendant satisfies the court that they had reasonable grounds to believe the facility was licensed. That is a balanced approach and also has the support of the Labor Opposition. I am advised that licensed facilities must clearly display a copy of their licence at the entrance of their facility, and a list of all licensed facilities can be found on the NSW Health website. Practitioners who knowingly perform high-risk cosmetic surgical procedures such as breast augmentation in unlicensed facilities are putting patients at risk and, under the bill, will be facing a fine of up to \$55,000.

The bill also includes amendments to the Private Health Facilities Act to improve the compliance and enforcement powers under the Act. Under the changes, authorised officers will have the power to enter and inspect premises with other persons, such as police officers. Authorised officers will also have improved powers to require answers to questions and the production of documents. Appropriate protections relating to self-incrimination have been included in the bill in line with other similar legislative provisions. The changes to the Poisons and Therapeutic Goods Act and the Private Health Facilities Act are important in that they will assist in improving patients' safety when undergoing cosmetic procedures.

I turn now to proposed new section 12A in the Public Health Act. This new provision will establish a legislative framework for public warnings to be issued by the New South Wales Chief Health Officer. The Chief Health Officer, or NSW Health, currently issues public warnings about a range of matters, such as risks of particular services or risks to patients—for example, following infection control breaches by a particular health practitioner. Such warnings are important so that members of the public can understand the risk and the measures to take to mitigate that risk. However, there is no express power under the Public Health Act to issue such a warning. In contrast, the Chief Health Officer has an express power to issue warnings about the safety of a public water supply under section 22 of the Act.

The bill addresses this inconsistency by establishing a legislative framework enabling the Chief Health Officer to issue a public warning about risks to the health or safety of the public or a sector of the public. This will formalise the New South Wales Chief Health Officer's power to make public health warnings and better ensure that the public is made aware of public health risks and the measures they can take to mitigate the risk. These changes will help to better protect public health and safety. Clearly, it has taken NSW Health too long to act on complaints, and these changes have the support of the Labor Opposition. The Parliamentary Secretary said in her second reading speech:

The amendments in the bill follow both the recent review by the Ministry of Health into the regulation of cosmetic procedures and its regular review of legislation to ensure that it remains up to date and fit for purpose.

That is not the case, and the Labor Opposition disagrees with her interpretation. If the Berejiklian Government were bona fide about getting rid of the cowboys in the cosmetic surgery sector, it would have taken seriously the full intention of the recommendations, and particularly recommendation No. 4, in the "NSW Health Review of the Regulation of the Cosmetic Procedures", which was released on April 28. That recommendation sought to address the misuse of the title "cosmetic surgeon". It is still possible to call oneself a cosmetic surgeon despite having only the most basic medical qualifications. That is a basic oversight that should have been addressed.

I have been critical of the Berejiklian Government on this issue, the previous Minister for Health, and her successor, Brad Hazzard. While this legislation is a positive step, the significant loophole remains whereby New South Wales practitioners in the sector can still use the title of "surgeon" even though they have only the most basic medical qualification—a Bachelor of Medicine. That is plainly misleading, and dangerously so. Why was that not addressed in the legislation? I believe it makes sense that if someone calls themselves a cosmetic surgeon then they should be a surgeon, having undertaken the extra seven years of training required to use that title. I am confident that community opinion would support that.

The Berejiklian Government should introduce legislation to allow only medical practitioners registered in the specialty of surgery after completing extra training in the surgical specialty of their choice to use the title of "surgeon" in any context. This would prohibit medical practitioners who are not specialists from using the title of "cosmetic surgeon". The Royal Australasian College of Surgeons states, "Surgeons are doctors who have completed extra training in the surgical specialty of their choice." There are nine surgical specialties: cardiothoracic surgery, general surgery, neurosurgery, orthopaedic surgery, head and neck surgery, paediatric

surgery, plastic and reconstructive surgery, urology, and vascular surgery. However, I think there is scope for an exemption for dentists to continue to be called "dental surgeons", which is standard practice in their profession.

While patients recognise that all surgery carries risks, medical mistakes last a lifetime. Unfortunately, there are still cowboys in the cosmetic surgery sector and a significant loophole for them to operate under. It is unreasonable to expect an ordinary New South Wales citizen to know or understand the levels of training and accreditation required of a surgeon. That is why an appropriate definition is important. Clearly, there is a big difference between doctors who are trained as surgeons and people who call themselves surgeons. Patients assume that someone who holds themselves out to be a surgeon must have additional training. Unfortunately, the Berejiklian Government has been slow in responding to problems in the cosmetic surgery sector.

It has been almost three years since ABC journalist Sophie Scott raised concerns about the cosmetic surgery industry in her report to television program 7.30. The revelations were shocking. Over the past three years a number of high-profile matters have arisen in the cosmetic surgery sector, including a tragic death last year. I recognise that many practitioners and clinics do the right thing, but it is in the nature of regulation that we need to protect the community from those who do not do the right thing. This bill is a first step, but a wider and fuller response to problems in the cosmetic surgery sector is still needed. Labor will not oppose the Health Legislation Amendment Bill (No 2) 2018, but it does not go far enough in combating problems in the cosmetic surgery industry.

The Hon. PAUL GREEN (15:51): On behalf of the Christian Democratic Party, I speak in debate on the Health Legislation Amendment Bill (No 2) 2018, which is part of a regular review of health-related legislation that makes necessary amendments to various Acts regarding health services and aims to improve the delivery of health services to New South Wales residents. The objects of the bill are:

- (a) to amend the *Health Care Complaints Act 1993* to require certain information about a person whose registration as a registered health practitioner is cancelled or suspended as a result of disciplinary proceedings to be made publicly available,
- (b) to make miscellaneous amendments to the *Health Practitioner Regulation (Adoption of National Law) Act 2009* with respect to reviews and appeals, the powers of authorised persons, suspension of registration and the membership of an Assessment Committee of a Council for a health profession,
- (c) to amend the *Poisons and Therapeutic Goods Act 1966* to impose requirements in respect of certain substances and goods that may be used for cosmetic and other purposes,
- (d) to amend the *Private Health Facilities Act 2007* to create an offence of performing certain services or treatments at certain private health facilities, and to provide authorised officers with the power to require a person to answer questions or provide information and documents,
- (e) to amend the *Public Health Act 2010* to permit the Chief Health Officer to make public a statement identifying and giving warnings or information about a risk to health or safety, to exclude compensation for defamation for statements made under that Act and to clarify the meaning of de-registered health practitioner.

As has been widely documented, a Ms Huang attended the Medi Beauty Clinic in Chippendale for fillers to be added to her breasts and died from cardiac arrest. The staff member undertaking the procedure was on a tourist visa and had no recognised qualifications in Australia. The nurse assisting was also not qualified. The anaesthetic used for the procedure was prescription only and needed an authorised person to prescribe it. The case led to the Minister reviewing our legislation, and rightly so. In another case an untrained staff member at a body modification clinic mutilated the genitalia of a Central Coast woman. The man was not a trained medical professional and he has been charged with modifying a woman's genitals.

In a further example, ears, nose and throat specialist Dr Mooney performed a rhinoplasty without proper consultation. Imagine having someone unqualified perform your nose job; you may as well ask a plumber! A stripper in Melbourne strip club had a brief conversation with Dr Mooney about a nose job, which was the only consultation she had prior to her procedure. A second surgery has been unable to fix the first surgery that resulted in complications. In addition, a patient of Dr Mooney died after a procedure for sleep apnoea and another died following a procedure for a sinus problem. It goes without saying that it is up to the Government to put processes in place to ensure that people have the correct qualifications to perform surgery. No-one should be able to hang a shingle out the front of their business saying that they can do cosmetic surgery when they do not have a clue.

In his contribution the Hon. Walt Secord said it was concerning that a lack of flu vaccination stock has already been indicated. I cannot think how the Government can be in that situation given that we had one of our worst flu epidemics last year. The Government seems slow and a bit off the pace not to have learned from that. I find that surprising. Some of the most vulnerable people in our community will be affected, including those with low immune responses, the elderly, children and pregnant women. It is concerning that there is already a shortage. The situation should have been taken care of in March, although people have different views about the best time to administer flu shots.

We note the great work of the New South Wales Government in planning a new hospital in the Tweed and building new ones at Wagga Wagga, Wollongong, Mudgee, Maitland, Orange, Bega and Parkes. I draw to the attention of the Government that it is time to build a new hospital in the Shoalhaven, and I encourage the Government to release a master plan for it. Times have changed and the decentralisation of Sydney is working. The Government's great work upgrading the Princes Highway means that people are moving south.

The Hon. Don Harwin: We need a greenfield site.

The Hon. PAUL GREEN: We have a greenfield site at the Shoalhaven university campus. We could have a teaching hospital there. I encourage the Government to get on board and allocate at least \$300 million to begin the project, given the fact that it has received \$10 billion from the Snowy Hydro sale and \$6 billion from the sale of poles and wires. In a year of surplus it would not be too much to ask for a new hospital in the Shoalhaven to provide updated services in a regional area. I commend the bill to the House.

The Hon. BRONNIE TAYLOR (15:57): On behalf of the Hon. Don Harwin: In reply: I thank the Deputy Leader of the Opposition and the Hon. Paul Green for their contributions to debate on the Health Legislation Amendment Bill (No 2) 2018. The Deputy Leader of the Opposition talked about medicines used for non-cosmetic purposes, including the fact that botox can be used very effectively in the treatment of stroke patients. The Government is aware of that. There will be thorough consultation and the issue will be looked at. In addition, the importation of medicines is a Federal issue but we will be working closely with the Health Care Complaints Commission, the Therapeutic Goods Administration and Australian Border Force as well as other jurisdictions. The Deputy Leader of the Opposition also spoke about the title "cosmetic surgeon". As the protection of title provisions are nationally consistent provisions, the protection of the title of cosmetic surgeon will be consulted on with stakeholders, including with professional organisations, to determine whether the national law should be amended to protect the title.

NSW Health is now performing better than it ever did under the Labor Government and is completing more surgeries on time than Labor could ever manage. The bill will make a range of changes to health legislation in order to protect the public and will implement two recommendations of the recent review into the regulation of cosmetic procedures. First, the bill will amend the Private Health Facilities Act to make it an offence for a person to preform prescribed services in an unlicensed facility. That will ensure that practitioners take responsibility for ensuring that the facility in which they perform cosmetic surgery is licensed. Secondly, the bill will amend the Poisons and Therapeutic Goods Act to allow for regulations to be made in respect of the possession, supply, manufacture, administration, use, prescription, storage and disposal of therapeutic goods commonly used in cosmetic procedures. Such rules may be set for botox, hyaluronic acid injections and other therapeutic goods prescribed by the regulation. This change will ensure that there are appropriate rules in place in respect of drugs used in cosmetic procedures, so as to protect the public.

The bill will also amend the Private Health Facilities Act to improve the powers of authorised officers to inspect premises and require the production of documents. These changes will assist in ensuring that authorised officers have the necessary powers to inspect premises and conduct investigations. The bill amends the Public Health Act and these changes will assist in better protecting the public. I commend the bill to the House.

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

Motion agreed to.

Third Reading

The Hon. DON HARWIN: I move:

That this bill be now read a third time.

Motion agreed to.

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

Visitors

VISITORS

The PRESIDENT: I take the opportunity to welcome to the public gallery Mrs Aileen MacDonald, the wife of Mr Scot MacDonald. I welcome her to question time.

*Questions Without Notice***INDEPENDENT REVIEW OF OUT OF HOME CARE IN NEW SOUTH WALES**

The Hon. ADAM SEARLE (16:00): My question is directed to the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts, and Leader of the Government in his capacity as Leader of the Government. Given that Reverend the Hon. Fred Nile has publicly confirmed that the Minister for Family and Community Services Pru Goward offered him a private viewing and briefing in relation to the Tune report, why is the Government refusing to produce this report to the House?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:01): I question some of the assumptions that are made in the question. I have not had a conversation with Reverend the Hon. Fred Nile, so I will certainly not accept those assertions at face value. On this general issue, I have answered several questions about the nature of the powers of this House in relation to calling for Cabinet documents at some length and in some detail. There is nothing further to add to the previous answers that I have given to the House.

The Hon. ADAM SEARLE (16:02): I ask a supplementary question. Would the Minister elucidate on the part of his answer in relation to Cabinet documents and confirm whether the non-production of the Tune report is for the same reason as the non-production of the Powerhouse Museum document?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:02): I have nothing to add to my previous answer.

EMPLOYMENT GROWTH

The Hon. DAVID CLARKE (16:02): My question is addressed to the Leader of the Government. Will he update the House on how the New South Wales Government is driving employment growth across our State and whether there are any alternative policies?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:02): I thank the Hon. David Clarke for his excellent question. The New South Wales Government is driving employment in this State to new heights. Since the Coalition came to government in 2011, a record-breaking 500,000 new jobs have been created in New South Wales. To put that in perspective, that is the equivalent of the combined populations of Newcastle, Bathurst, Coffs Harbour and Tamworth—a significant number of jobs. The jobs boom under our Government has been driven, in particular, by increased female participation, which has reached an all-time high of 59.7 per cent. In the past year, jobs growth for women was 6 per cent and the female unemployment rate was 4.7 per cent—the lowest in Australia.

The Government has created an environment where businesses want to invest, expand and create more jobs. We have cut taxes, built infrastructure and encouraged growth across New South Wales. But a job is more than just a statistic: It can provide a means for someone to support themselves or their family, it can give someone a purpose or direction in life, and it can give someone the leg-up they need to achieve their dreams. When talking about job statistics, we can lose sight of just how transformative a job can be, particularly for young people. That is the reason this Government acts to encourage job growth across New South Wales. The 500,000 new jobs since coming to Government are not just a number: They represent 500,000 opportunities.

The Hon. Scott Farlow: Point of order: My point of order relates to the constant interjections from the Hon. Mick Veitch. I ask that he be called to order.

The PRESIDENT: I remind all members that interjections are disorderly. I ask members to allow the member with the call to be heard in silence.

The Hon. DON HARWIN: As I was saying, these jobs represent 500,000 opportunities for the people of New South Wales—

The Hon. Niall Blair: Point of order: All Government members can hear are the interjections coming from the Hon. Mick Veitch. To show the House courtesy and allow the Minister to be able to answer the question, Opposition members must cease interjecting.

The PRESIDENT: Order! I call the Hon. Mick Veitch to order for the first time. He began interjecting five seconds after I gave my earlier ruling.

The Hon. DON HARWIN: These are opportunities that simply did not exist under the former Labor Government and would not exist if Labor was elected again.

The Hon. Trevor Khan: Point of order: Now two Opposition members have joined in on this exercise: the Hon. Shaoquett Moselmane, who knows better, and the Hon. Mick Veitch, who obviously wants to be thrown out. I ask that they be called to order.

The PRESIDENT: Order! I indicate to the Hon. Mick Veitch that he is on one call to order and this is the last warning I will give him. I call the Hon. Shaoquett Moselmane to order for the first time.

The Hon. DON HARWIN: The New South Wales unemployment rate was above the national average for 62 of Labor's most recent 68 months in office. For a decade, Labor made New South Wales jobs growth the lowest on mainland Australia. This is not surprising if we look at how often the Labor Party increased taxes and introduced new taxes.

The PRESIDENT: Order! I am starting to get the impression that Opposition members wish to be called to order three times. I am being more than patient; many will say I am being far too patient. Just before I stood up, the Hon. Penny Sharpe, the Hon. John Graham and the Hon. Shaoquett Moselmane were all interjecting. I could not hear whether the Hon. Mick Veitch was interjecting because of the other, louder interjections, so I will give him the benefit of the doubt. I am happy to oblige members if they want to be called to order three times.

The Hon. DON HARWIN: Labor members were not fit to govern back then and they are not fit to govern now. They simply cannot be trusted. They will just do what the union bosses ask them to do. At the 2015 election, our Government promised to deliver 150,000 new jobs. *[Time expired.]*

POWERHOUSE MUSEUM RELOCATION

The Hon. WALT SECORD (16:09): My question without notice is directed to the Minister for Resources, Minister for Energy and Utilities, Minister for the Arts, and Leader of the Government. Will the Minister ensure that no contracts for the Powerhouse Museum relocation and break-up are signed before March 2019 so that New South Wales voters can pass judgement on the Government's decision to spend more than \$1 billion on the move?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:09): First, the Government is not spending more than \$1 billion, so the member is wrong. We made it quite clear what the Government contribution to this project is, and it is nowhere near \$1 billion. Secondly, this was something that we took to the people in 2015. It was an election commitment. It was quite clear what we were going to do and we were re-elected. It is part of our mandate to do it and we are going to do it. I will not give the honourable member that commitment at all. As announced in July of last year, we have already entered into heads of agreement to purchase land from the City of Parramatta for the new museum in Parramatta. This will take place almost immediately. I remind the House of one other thing: In 2015, Labor supported the proposal, but "Flip-Flop" Foley has changed his position. He abandoned the Hon. Walt Secord and left him out on a limb two days after he was on the radio assuring the people of New South Wales that Labor supported the location of a museum in the geographic and demographic centre of Sydney in Parramatta. Labor supported it back in 2015.

The Hon. Walt Secord: You said it would cost \$10 million.

The Hon. DON HARWIN: All that was going to cost \$10 million—and did—was the business case. The Hon. Walt Secord should stop misleading the House and the people of New South Wales. No, I will not give that guarantee. We have a mandate to do this and we will do it.

The Hon. WALT SECORD (16:11): I ask a supplementary question. Will the Minister elucidate his answer with regard to saying that he did not believe it would cost more than \$1 billion? Will he provide the exact figure for the cost of the relocation?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:11): I have told the House on a number of occasions. If the honourable member cannot remember it, I am not going to do his research for him.

ASSET ENERGY PTY LIMITED SEISMIC TESTING

Mr JUSTIN FIELD (16:12): My question without notice is directed to the Minister for Resources, and Minister for Energy and Utilities. In relation to the Minister's answer to my question on 12 April regarding Asset Energy's seismic testing, when he said, "I do not think that the Commonwealth regime for offshore gas exploration is as good as the regime that we have for drilling of gas onshore under the NSW Gas Plan", has the Minister met with the Federal regulator, the National Offshore Petroleum Safety and Environmental Management Authority [NOPSEMA], to discuss his concerns? If not, has he sought a meeting with NOPSEMA or has NOPSEMA sought a meeting with him?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:12): In response to the last part of the question, I do not think the National Offshore Petroleum Safety and Environmental Management Authority [NOPSEMA] has sought a meeting. In response to the first part of the question, I have written to the Federal Minister and made my position absolutely clear.

Mr JUSTIN FIELD (16:12): I ask a supplementary question. Will the Minister elucidate his answer with regard to his letter? In his letter, did he request a meeting with the Federal regulator?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:13): I thought I made it clear that I outlined to the Minister the New South Wales position on these matters. Frankly, I thought that putting it in writing to the Minister was the most appropriate thing to do. It is up to the Federal Minister to decide what to do with the views that were expressed to him.

WINE INDUSTRY

Mr SCOT MacDONALD (16:13): My question is addressed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Will the Minister update the House on how the New South Wales Government is supporting the New South Wales wine industry?

The Hon. NIAL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (16:13): I thank the honourable member for his question. The New South Wales wine industry is a significant export earner for the State and a key employer in the regions. New South Wales is the nation's second largest wine-producing State, and the State's winemakers are achieving significant export successes. While our traditional bottled wine export markets remain strong, the value of exports into the United Kingdom have increased by 7 per cent in the past year and the industry is currently witnessing a rapid growth in bottled wine exports to Asia. In the latest Wine Australia figures, the year-on-year value of New South Wales bottled wine sold into Singapore rose by 43 per cent and into Hong Kong by 12 per cent. The growth in value of New South Wales bottled wine exports into China is also impressive, up 58 per cent over the past 12 months. The growth in demand for New South Wales white wine is proving particularly strong, with exports to China recording a 243 per cent increase in value over the last year.

These results are a credit to the State's wine industry and reflect the hard work that our wine producers have done to engage with this fast-growing wine market. I am proud to say that the New South Wales Government stands right behind this growing industry. Last year, on behalf of the New South Wales Government, Minister Marshall and I signed a memorandum of understanding with the NSW Wine Industry Association. It formally set out the Government's support for our winegrowers and set in motion a raft of actions, big and small, that are supporting the industry's growth. Destination NSW and the Department of Industry have been working closely with the wine industry to ensure that the industry has the best possible chance of securing maximum funding under the Federal Government's Export and Regional Wine Support Package.

Building on this, the Department of Industry has recently sought out additional opportunities to support our wine industry's exports. In April alone, it worked with the Department of Foreign Affairs and Trade in Vietnam to shine a spotlight on New South Wales wines as a part of the "Taste of Australia" showcase, showcased New South Wales wine to Chinese investors attending the Sydney FC vs Shanghai Greenland Shenhua football match and ensured that New South Wales wines were on the table when the Premier visited New Delhi to promote our State's produce. This month, it is running a New South Wales wine promotion in Hong Kong aimed at supporting the hard work of the Orange Region Vignerons Association. Justin Jarrett, President of the Orange Region Vignerons Association and owner of See Saw Wines, is leading a group of eight wineries from the Orange region that will be working together to showcase the region's strengths—the only New South Wales region to do so. Justin and the Orange Region should be applauded for making the decision to showcase their region at Vinexpo Hong Kong, the most influential wine and spirits trade fair in the Asia Pacific.

Yesterday, I had the pleasure of meeting Paul Dadd and Jonathan Holgate of Tertini Wines, who will also be exhibiting at Vinexpo. Having tasted their wines, I am confident that they will continue their outstanding success at Vinexpo. The New South Wales Government stands with our wine industry. It is supporting our wine producers both in Australia and overseas. We are so lucky in this State. The many different growing regions and many different altitudes mean that New South Wales wines can compete on the world scene. We should all be champions for New South Wales wines. When we go out for dinner with our families or friends, we should ask for New South Wales wine. They are the best and they need our support. Drink up—let us celebrate this wonderful industry.

TAXATION

The Hon. PAUL GREEN (16:17): My question without notice is directed to the Minister for Resources, representing the Treasurer, and Minister for Industrial Relations. As the Minister would know, payroll tax is a

self-assessed, general purpose State and Territory tax that is assessed on wages paid or payable by an employer to its employees when the total wage bill of an employer or group of employers exceeds a threshold amount. This tax affects small businesses, stopping the employment of additional staff. Currently, the threshold and tax rate vary between the States and Territories, with New South Wales having a threshold almost three times lower than the Australian Capital Territory. Will the Minister report to the House why New South Wales small businesses are unfairly affected? What can be done to make sure the New South Wales threshold and tax rate are in line with the Australian Capital Territory or that the threshold is at least at \$1 million, as proposed by Luke Aitken of the NSW Business Chamber?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:18): The Hon. Paul Green asked a question about the eternal question of Australian public policy, which is the relationship of the Commonwealth and the States in terms of financial relations. I will never forget, Mr President, that when I sat in your chair for six years, I met many people—as you have today, with a group of visiting Indian politicians—and they would ask me, "How do finances work in your country?" I had a very good understanding of them but, try as I would, it was often very difficult to make others understand the byzantine nature of relations between the Commonwealth and the States.

The Hon. Dr Peter Phelps: That's unfair to Byzantines.

The Hon. DON HARWIN: Perhaps the Hon. Dr Peter Phelps is right about that. But it is an eternally difficult question that, unfortunately, we are no closer to fixing than at any time in the 117 years since we federated. Comparing States is almost like comparing apples with apples; comparing States to Territories is a bit different, frankly. But I completely understand the concerns that have motivated the Hon. Paul Green to ask this question. Some would say that competitive federalism in tax is a good thing: competing with different rates is, in fact, healthy and helps put downward pressure on taxation. Nevertheless, it is an important question. I will obtain an answer for the Hon. Paul Green from the Treasurer.

COMMONWEALTH GAMES 2026

The Hon. PENNY SHARPE (16:20): My question is directed to the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts, as Leader of the Government. What steps is the Government taking to support a bid for Western Sydney to host the 2026 Commonwealth Games?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:21): That is a very good question. I will take it on notice and obtain an answer.

REGIONAL EDUCATION

The Hon. BRONNIE TAYLOR (16:21): My question is addressed to the Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education. Will the Minister update the House on how the New South Wales Government is continuing to support education in country New South Wales?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (16:21): I thank the Parliamentary Secretary for her question and note her continued interest in education in regional areas. She is passionate about it, as am I. As a proud member of The Nationals, born and raised in country New South Wales, I assure the House that I have an inherent understanding of the importance of quality regional education. The education of our kids in the bush is just as important as that of children in the city. That is why it was my absolute pleasure recently to attend Coolah Central School with the member for Barwon, Kevin Humphries, and the outstanding Nationals candidate Andrew Schier to officially open the new industrial technology facility at the school. I acknowledge that Andrew had had a big weekend in Broken Hill and a 10-hour drive with us to attend the event. It is clear that the future of Barwon is in safe hands with Andrew and the National Party.

It is no secret that, thanks to record spending and investment from the Liberal and Nationals Government, the great State of New South Wales is seeing a period of unprecedented infrastructure development. That is exactly what we saw at Coolah Central School. Thanks to this Government's funding, the topnotch industrial technology facility that we opened will allow our future tradies to learn the vital skills necessary to keep this boom alive in the best possible learning environment. I commend Coolah Central School Principal George Frangos and everyone involved in helping to establish the wonderful new facility. It is a great opportunity for the students there and a prime example of the fantastic things that can be achieved when a strong community works together and is supported by good government.

While in Coolah, I was extremely proud to talk to the parents, teachers and students who were there that day and announce that the first cohort of New South Wales Government teach. Rural scholarship recipients have joined the workforce, bolstering teaching numbers in regional New South Wales. The scholarships are part of the

Government's Rural and Remote Education Human Resources Strategy, which is a \$59.4 million investment over five years to address and improve teacher availability and experience in rural and remote New South Wales public schools. The new teachers will take up positions in Tamworth, Condobolin, Dubbo, Griffith, Bulahdelah, Manilla, Cobar, Coonamble and Narrabri, where they will stay for a minimum of three years as part of the scholarship criteria.

Members of the House will be pleased to hear that, following the great success of the scholarships so far, the 2018 round of applications will open on 18 June. This year we are expanding our investment in regional New South Wales with even more teach.Rural scholarships on offer—60 a year, up from 50. The scholarships will also increase in value from \$6,000 a year up to \$7,500 a year. For the first time, students who receive a credit average will have their Higher Education Contribution Scheme [HECS] debt paid up to a maximum of \$50,000. As I said to the students of Coolah Central School, "It might not mean much to you now, but trust me: If you've done well enough to qualify, you'll be very grateful to not have your HECS debt when you finish uni. And you'll get the added bonus of going to teach in a regional school."

As we know, attending tertiary education can be a costly exercise for regional students. Through these scholarships, students interested in studying teaching will be given the best possible opportunity to pursue their studies. The Rural and Remote Education Human Resources package also offers incentives to encourage existing teachers to try their hand at teaching in regional areas. The Rural Experience Program aims to encourage teachers to get a taste of country life with the opportunity to experience teaching in a rural or remote community for one to four terms. It also offers benefits for permanent teachers to take up rural positions, as well as fast-tracking temporary teachers for permanent positions to help address the ongoing issue of permanent teaching vacancies in rural and remote schools. It is a great package and, as a regional member, I am proud that our Government is investing in regional education.

DIGITAL SECURITY

Reverend the Hon. FRED NILE (16:25): My question is directed to the Hon. Don Harwin, representing the Attorney General, Mark Speakman. Is the Attorney General aware of allegations that seven out of 10 smartphone applications have been found to share personal use of data with third parties, as reported in *The Conversation* and reprinted in the *Scientific American* last year? Will the Attorney General inform the House of what measures are or will be in place to protect personal and private information, such as that contained in digital driver licences that are planned to be introduced in New South Wales by new legislation this week and which are displayed on smartphones?

The Hon. Walt Secord: It's legislation before the House.

The PRESIDENT: Is the member calling a point of order?

The Hon. Penny Sharpe: That's Scott's job.

The PRESIDENT: If the Hon. Walt Secord is going to interject and comment, the Chair needs to know whether he is taking a point of order. That is why I asked the question, whether or not it is his job. I take it that he is not taking a point of order.

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:27): I thank Reverend the Hon. Fred Nile for that interesting question. It is a very disturbing area of policy at the moment, with some of the developments that are taking place. I suspect there are a number of Ministers who have some involvement in this area, so I will do him the courtesy of making sure that it is sent to the Minister to whom it is most relevant. Hopefully there will be a coordinated response so that he gets the information that he needs. I suspect there is also quite a bit of Federal jurisdiction in there as well.

SANTOS LEEWOOD WATER TREATMENT PROJECT

The Hon. GREG DONNELLY (16:27): My question is directed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Does Santos have a water use approval for the irrigation it has been undertaking near its Leewood water treatment facility near Narrabri, using treated coal seam gas-produced water?

The Hon. NIAL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (16:28): I thank the member for his question. I will take it on notice to find the particular details of the project that the member asked about and come back to the member in due course.

PUBLIC TRANSPORT

The Hon. LOU AMATO (16:28): My question is addressed to the Leader of the Government. Will he update the House on how the New South Wales Government is delivering the public transport network of the future? Are there any alternative policies?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:29): The Sydney Metro is Australia's biggest public transport infrastructure project and will transform how Sydneysiders get around their city. I am pleased to inform the House that we remain on track for stage 1 Sydney Metro Northwest to open to customers in the first half of 2019.

The Hon. Scott Farlow: Point of order: I cannot hear the Minister's answer above interjections from those opposite. I am sure the Hon. Lou Amato, who asked the question, is also trying to hear the answer.

The Hon. Penny Sharpe: It doesn't look like it.

The Hon. Scott Farlow: Mr President, I ask you to call members to order.

The PRESIDENT: Order! I call the Hon. Penny Sharpe to order for the first time. For the sake of the Hon. Shaoquett Moselmane, I do not want the Minister to have to scream over interjections. The Minister has the call.

The Hon. DON HARWIN: This is a project which those Opposite promised three times to build, but could not even manage to turn a sod. This new world-class metro line will start before we know it; first, in the booming north-west, then extending into the central business district [CBD] and beyond to Bankstown. Sydney Metro City and Southwest is a project that those Opposite want to cancel, which would see 6,000 direct jobs lost. In 2024, Sydney will have 31 Sydney Metro stations and 66 kilometres of new metro track, with a new metro train at least every four minutes at peak times at full operational mode. The New South Wales Government has also signed the \$955 million contract to build the Sydney Metro platforms and Central Walk at Central station.

I was interested to learn that Labor had been hard at work developing its own transport strategy. However, it turns out its priority project is none other than part of our Government's signature transport plan, Metro West. Not only do those opposite want to deliver our project, how are they proposing to pay for it? Surprise, surprise, they are going to cancel everything else: Northern Beaches tunnel—cancelled; Western Harbour tunnel—cancelled; Sydney Metro City and Southwest—cancelled; F6 Extension—cancelled; and light rail—cancelled. Even in opposition, all they want to do is cancel projects. Let us look at what they did when they were last in government—nothing but a cavalcade of cancelled projects.

The Hon. Peter Primrose: Point of order: I am trying to listen to the Minister's answer, which is obviously not about his own portfolio but contains very interesting material. I heard the Minister talk about the Government committing to build a Northern Beaches tunnel, but I could not hear him above the interjections. Mr President, I therefore ask him to repeat his statement. I ask you to call the House to order so that we can hear this answer in relation to transport expenditure in Sydney.

The PRESIDENT: I thank the Hon. Peter Primrose for his point of order. I remind members of two past rulings. I refer to a ruling of then President Primrose in December 2007:

Members should allow Ministers to answer their questions without interruption.

That ruling applies to all sides of the House. In 2013, then President Harwin ruled:

It is out of order for a Minister to respond to interjections when answering a question.

I thank the Minister for not responding to interjections from all sides of the Chamber. I will call Government members to order if they continue to interject. Two wrongs do not make a right.

The Hon. DON HARWIN: When those opposite were in office we had a cavalcade of cancellations: the Bondi Beach Rail Link, promised in 1998—cancelled; the New Harbour Crossing rail link, promised in 2005—cancelled; even the North West Metro link, promised in 2008—cancelled.

The Hon. Shaoquett Moselmane: Point of order: Mr President, earlier you indicated that for my sake a Minister should not have to scream to be heard above interjections. The Minister is screaming—and screaming in this Chamber is disorderly.

The Hon. DON HARWIN: To the point of order: Mr President, the only reason I have to raise my voice is to try to be heard over the interjections of the Hon. Penny Sharpe and the Hon. Mick Veitch, who are constantly interrupting me.

The PRESIDENT (16:34:0): I thank the Hon. Shaoquett Moselmane for his point of order. Since the last occasion when a point of order was raised by the Hon. Shaoquett Moselmane, I have carefully examined many of the rulings of former Presidents. On 16 November 1993 President Willis ruled:

The purpose of members addressing the House is fundamentally to inform members of the House and not to have matters recorded in Hansard. It is therefore important that members deliver their speeches with appropriate volume, speed and clarity so that other members are readily able to understand.

Previous Presidents and I have on a number of occasions indicated that Ministers should not have to scream in order to be heard over numerous or loud interjections. The Hon. Shaoquett Moselmane suggested that it is disorderly for a Minister to scream over interjections; it is disorderly for members to interject and thus cause the Minister to have to raise his or her voice. I call the Hon. Penny Sharpe to order for the second time, because her continual interjections caused the Minister to raise his voice.

The Hon. DON HARWIN: Those opposite have an addiction to announcements, but when it comes to following through, they never deliver. That was their record in government and that is what we will see again. How much did they waste on the Tcard that never got off the ground? It was \$100 million. How much did they give back to the Commonwealth when they cancelled the West Metro? It was \$81 million. They wasted almost \$500 million on the Rozelle Metro. Those opposite proved over 16 years why the Labor Party is simply unfit to govern; it cannot be trusted with big projects. While in government they promised 12 rail lines, of which only half of one line was actually delivered. They had nine transport master plans and six Ministers for Transport. What did they have to show for it? Absolutely nothing. They are unworthy of sitting on the Government benches because all they do is cancel projects. They make more announcements but they fail to deliver. They cannot be trusted again with government in this State.

DROUGHT ASSISTANCE

The Hon. MARK PEARSON (16:37): My question is directed to the Minister for Primary Industries, representing the Minister for Police. New South Wales is in terrible drought, with both farmed and wild animals suffering and dying as a result of the dry conditions. Can the Minister advise why rural police are not issued with charge-fired captive bolt guns or appropriately calibrated rifles fitted securely within police vehicles, as this would greatly assist police when called out to remote regional areas to humanely euthanise injured and drought-affected animals?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (16:37): Drought-affected animals are an interesting aspect of the drought that is confronted by many of our agencies. My initial response on behalf of the Minister for Police, whom I represent in this House, is to make comments that are more relevant to my portfolios and agencies when it comes to the humane destruction of animals suffering from injury or from poor health as a result of seasonal conditions or drought. In the first instance, if anyone has livestock on their property that they are using for production purposes, I recommend that they engage not with the police but with local land services and the qualified vets employed within Local Land Services to assist them in the humane destruction, where appropriate, of those animals. Before they get to that point, it is imperative that landholders also make contact either with Local Land Services or our team at the Rural Assistance Authority, because we have provisions within our drought assistance package to help producers with animals that are in poor condition because of drought by funding the transport of those animals to an appropriate abattoir for humane destruction.

My message loud and clear is that if anyone has animals under their care on their property that they need assistance with, they should contact Local Land Services. Members have heard me speak about the role that our Local Land Services vets have played, particularly when there have been bushfires in parts of the State. Our vets assist landholders to humanely euthanise animals injured as a result of the bushfires. They also offer that service to our producers in times of drought. On behalf of all members in this Chamber, we are forever grateful to those vets for the role that they play. It is a part of their job that not too many people in our society could do. To have those professionals provide that service is a great relief to our farmers. Many of our packages and programs are designed to ensure that we do not get to that point. We have varying conditions across the State and there are many options available to our farmers so that as a last resort they do not have to put their animals down.

As to the role that the police may play as potential first responders to animals that are injured, particularly native animals, I am happy to take that part of the question on notice. In some cases police may be called out to accidents or collisions where a car has hit an animal. I am not aware of the police provisions. I will take that part of the question on notice. *[Time expired.]*

SANTOS LEEWOOD WATER TREATMENT PROJECT

The Hon. DANIEL MOOKHEY (16:41): My question without notice is directed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Has the New South Wales

Government undertaken any inspection of or compliance action against Santos for irrigating without the necessary approval near Narrabri using treated coal seam gas produced water?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (16:42): I thank the Hon. Daniel Mookhey for his question. Members have heard me say many times in this House that compliance action is something that our agencies take care of and I will not give a running commentary on it.

The Hon. Walt Secord: It is an operational matter.

The Hon. NIALL BLAIR: It is very much operational. In many of these compliance cases that is exactly how it should be so that the agencies can get on and carry out these functions without fear or favour. With water compliance actions and licensing functions, I will answer this question in the same way that I answered the earlier question and take it on notice, ensure that I get the most up-to-date information from the department and provide that information to the member in due course.

WEEDS AND PEST ANIMAL CONTROL

The Hon. RICK COLLESS (16:43): My question is addressed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Will the Minister update the House on how the New South Wales Government is managing invasive animals and weeds in New South Wales?

The Hon. Walt Secord: Serrated tussock

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (16:42): I thank the Hon. Rick Colless for his question. I acknowledge that the Deputy Leader of the Opposition can name a noxious weed in New South Wales. Well done.

The Hon. Walt Secord: I just named three of them.

The Hon. NIALL BLAIR: You named one of them.

The Hon. Walt Secord: Paterson's curse.

The Hon. NIALL BLAIR: Let us leave it at serrated tussock. Our community faces significant changes, not only from established invasive species but also from new and emerging pest species and we are meeting those challenges with new solutions. This month the Government has delivered the NSW Invasive Species Plan, mapping out how the State will better manage the impact of invasive animals and weeds in New South Wales. This is no trivial matter. Invasive pest animals—including wild dogs, deer, rabbits, feral cats, goats, foxes and carp—are estimated to cost the Australian economy more than \$1 billion annually and the New South Wales economy at least \$170 million annually. More than 1,650 introduced plant species have established in New South Wales and at least 300 of these weeds have a significant impact on the environment and agriculture. The cost of weeds to New South Wales agriculture alone has been estimated to be near \$1.8 billion per year.

Marine and freshwater environments are also under threat with more than 250 introduced marine species detected in our coastal waters. Aquatic pests can cause serious negative impacts on marine environments and animals and they can outcompete native species, all posing significant risks to the profitability of Australia's \$2.4 billion a year fisheries and aquaculture industries. Our new plan outlines mechanisms to help prevent new incursions, contain existing populations and adaptively manage widespread invasive species. The plan will help guide investment and resource allocation for invasive species prevention and management activities in New South Wales.

The NSW Invasive Species Plan 2018-2021 updates our inaugural 2008 to 2015 plan. The draft plan was prepared by a working group led by the NSW Department of Primary Industries, with representatives from New South Wales Local Land Services [LLS], the NSW Office of Environment and Heritage, NSW Weeds Officers Association, NSW Farmers Association and local councils. Public consultation was completed in October 2017. The new plan has now been endorsed by key groups working to manage invasive species in New South Wales, including the State Pest Animal Committee, NSW Shellfish Committee, NSW Marine Pests Working Group and the NSW Ornamental Fish Reference Group.

The end result of this thorough consultative process is that New South Wales now has an invasive species plan which outlines roles, responsibilities and key goals to better manage pest animals and weeds. Successful implementation of this new plan now relies on continued collaboration between government, industry and the community as we work together to help prevent, prepare for and manage invasive plants and pests. The plan is supported by the New South Wales Biosecurity Act, which was successfully introduced by this Government in July 2017 and will help guide the regional pest plans that are currently being finalised in each of the 11 LLS regions. This plan is fortifying our State's efforts to manage invasive species and reduce their impacts for

the benefit, not only of our primary producers but also their entire community. That includes our environment. This is a plan that we should all be working together on to ensure it is implemented effectively. The House will continue to hear me talk about this from this day forward.

BEEKEEPING INDUSTRY

The Hon. MICK VEITCH (16:47): My question without notice is directed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. In light of serious concerns from apiarists regarding the potential impacts on pollination requirements and species mix as a result of the draft Coastal Integrated Forestry Operations Approvals currently out on public exhibition, what is the Minister's response to those apiarists who believe that the Government is ignoring their concerns?

The Hon. NIAL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (16:48): I thank the Hon. Mick Veitch for his question. This is probably a good opportunity to remind everyone that last week we celebrated International Bee Day. There are so many things I could say. I could do a dance now. One thing that the apiarists of New South Wales can honestly say is that they have had many opportunities to meet with me directly and to discuss a range of issues that are affecting their industry. This Government has not only been responsive to some of their concerns, it has also taken their feedback on a number of matters in relation to how we shape policy in this State.

One needs only to look at what the Government has done in relation to access and trying to get consistency across all government agencies for our apiarists, whether they have their hives on Crown land or in national parks, or when they work with other agencies such as State Forests. The Government has also been responsive with respect to thieves associated with apiary activities in New South Wales. On both of those issues the industry has had direct access to me and to my office. We have taken the industry's concerns on board and addressed their issues adequately to the satisfaction of the industry.

This is an important industry, particularly the pollination services that the industry provides in New South Wales, especially for the permanent plantings of horticultural varieties in this State. Apiarists—honey provides and pollinators—provide a vital role for the people and industries of New South Wales. In relation to the forestry issues, I am more than happy to engage with the industry in relation to those issues. Those issues have not been raised directly with me, as yet. They may have been raised with the Minister responsible for the coastal integrated forestry operations approvals. I will conclude my answer the way that I started it: This Government is a big supporter of the industry. When there are issues facing it, industry representatives can come directly to me. I have made myself available to the industry on many issues.

I also make it an absolute point, every year, to visit the industry's stand at the Royal Easter Show, where the apiarists provide a fantastic display and education for a lot of people in New South Wales. I am not aware, as yet, about the issue raised by the member. However, if the Hon. Mick Veitch is in contact with them he can tell them that I am more than happy to meet with them on this matter. I am sure that my office will reiterate that offer to the industry to discuss any potential impacts that any changes in this space may have on that industry.

ABORIGINAL AFFAIRS RESEARCH AGENDA

The Hon. SCOTT FARLOW (16:52): My question is addressed to the Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education. Will the Minister update the House on how the New South Wales Government is continuing to support Aboriginal communities in New South Wales.

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (16:52): Earlier this year I was pleased to launch the Aboriginal Affairs Research Agenda at Parliament House. I was joined by the many people who contributed to the agenda, particularly the members of the Advisory Group on Aboriginal Affairs who look at research—some highly credentialed Australians including the Chairman Dr Chris Sarra from the Stronger Smarter Institute, whom many members would know; Aboriginal language expert Dr Ray Kelly; and Mr Jeff McMullen, AM, journalist, author and film-maker.

Also in attendance were the chairs of the New South Wales coalition of Aboriginal regional alliances and some members of the stolen generations. Opportunity, Choice, Healing, Responsibility, Empowerment [OCHRE], the New South Wales Government's community-focused plan for Aboriginal Affairs in New South Wales, recognises that policies fixated on the "gap" or "disadvantage" in Aboriginal communities have not worked. Instead, the plan focuses on respecting the cultural value and the contributions of Aboriginal peoples in New South Wales to help forge a respectful and productive relationship with government. In his occasional lecture delivered to the Australian Senate in 2015, Dr Chris Sarra identified three ways in which to overcome the deficit discourse in Indigenous policy:

Acknowledge, embrace and celebrate the humanity of indigenous Australians.

Bring us policy approaches that nurture hope and optimism rather than entrench despair.

Do things with us, not to us.

These words resonate and reinforce the need to develop a new path for the Government to work in partnership with Aboriginal people and communities. Throughout the consultations in developing OCHRE, it was clear that many previous policies had raised great expectations but had failed to deliver on the promised improvements. That is why this research agenda will play an important role over the next six years in supporting and informing the policy changes that stem from OCHRE.

It is time for Aboriginal knowledge and culture to drive what is needed. The Aboriginal Affairs research agenda does just that. It focuses on new questions, including how Aboriginal language custodianship is determined and the relationship between activities to grow languages and the government bodies responsible for overseeing language programs, and how to define Aboriginal economic prosperity and the aspirations of Aboriginal people in New South Wales for self-determination and wellbeing.

In many ways this research agenda represents an historic shift in the way Aboriginal people and government work together. It reflects a new narrative in Aboriginal Affairs and demonstrates the commitment of the New South Wales Government to listening, to share decision-making and accountability, and to bring Aboriginal voices and perspectives directly into policy development and implementation. It poses the questions that need to be asked and answered to change that relationship between government and Aboriginal people to a relationship that will drive the policy development and implementation that we seek. This agenda is founded on the premise that research must reflect the concerns of Aboriginal people and their communities. It will place an emphasis on hope, expand our collective knowledge, and clearly reflect the concerns of Aboriginal communities across New South Wales. I look forward to our ongoing discussions and strengthening of relationships well into the future.

The New South Wales Government is committed to research and evaluation practice that puts Aboriginal people in the driver's seat. The evaluation currently underway with the Opportunity Hubs, Language and Culture Nests and Local Decision Making OCHRE initiative is an example of this commitment. This evaluation leads in the area of co-design and in its practice, constantly challenges traditional evaluation approaches. In the OCHRE evaluation Aboriginal communities have taken the decisions on whether they wanted to be involved in the evaluation, how the evaluation will operate in their local communities, what the data collected says about how the initiatives are operating, the outcomes the local initiatives are achieving and, ultimately, their overall impact.

The research from this agenda will be no different. Together with Aboriginal people, the research and policy communities will be critical in delivering the evidence and policy that supports Aboriginal communities and the New South Wales Government in working together to determine what works, what is worth trying and what success looks like. Thank you, once again, to everyone involved in that research agenda.

SKILLS DEVELOPMENT

Ms DAWN WALKER (16:56): My question is directed to the Minister representing the Assistant Minister for Skills. The Victorian Government has released a plan to make 30 TAFE and 18 pre-apprenticeship courses free for students. Does his Government have any plans to make a similar investment in Skills New South Wales?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (16:57): That is a tricky question. The member is trying to get me to divulge secrets about what the Government may or may not be doing. I am up to it! She wants to know what the Government's plans are in other areas. I am not going to fall for that. This Government has a strong record when it comes to skills. The Ministers responsible for this area are always working hard to see what else the Government can do. I will not grab onto the little hook that the member is throwing towards me.

Ms Dawn Walker: Are you going to support skills development in New South Wales?

The Hon. NIALL BLAIR: That is not the question the member asked. If that is the question that the member wanted to ask she should have asked it when she came up to the lectern.

The PRESIDENT: Order! The Minister will resume his chair. Stop the clock. I remind the Minister of the ruling of the Hon. Don Harwin in 2013:

It is out of order for a Minister to respond to interjections when answering a question.

I also remind the Minister of a ruling of then President Johnson in 1979. He said:

It is not in the interest of members to interject; neither is it in the interest of the member speaking to encourage such interjection. I ask the Minister to be generally relevant to the question. I call the Hon. Shaoquett Moselmann to order for the first time.

The Hon. NIAL BLAIR: I know that the Assistant Minister for Skills and the Minister for Skills are looking at what can be done to continue to strengthen skills across the State. This is not simply about skills; it is also about how they interrelate with other government agencies. Yesterday I met with representatives of a significant international organisation that is looking at what sort of future it could have in New South Wales. Apart from skills, they were also interested in what we are doing about science, technology, engineering and mathematics [STEM] subjects in our schools. The skills and talent supply that that large international organisation will be looking for in the future will be of interest to many large employers, not only internationally but also in New South Wales. I know that the Minister for Skills and the Assistant Minister for Skills are examining the issue, including looking to Victoria to see what it is doing. However, in respect of what they will do or any announcement they might make, the member will have to wait and see.

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

SYDNEY STADIUMS

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (17:00): The Hon. Adam Searle asked me a question last Thursday about a letter to the Clerk from the Deputy Secretary of the Department of Premier and Cabinet. In relation to that, I provide the following information: I am advised there are no missing documents from the returns made by Ministers' offices and agencies in response to the calls for papers.

In response to questions asked by the Hon. Lynda Voltz and the Hon. Adam Searle, Ministers' offices and agencies have advised that all documents lawfully required to be provided in response to the call for papers have been provided. I am advised the reasons that no further documents were provided include that the relevant document, first, has already been provided; secondly, does not exist; and, thirdly, is not lawfully required to be provided, including because it is not within the terms of the resolution or because there is no power for the Legislative Council to compel its production.

Committees

PORTFOLIO COMMITTEE NO. 3 - EDUCATION

Report: Budget Estimates 2017-2018

Debate resumed from 13 February 2018.

The Hon. LOU AMATO (17:02): I speak to report No. 38 of Portfolio Committee No. 3 entitled "Budget Estimates 2017-2018". The portfolios examined by the committee were Early Childhood Education, Aboriginal Affairs, Skills, Regional NSW, Small Business, Tourism and Major Events, and Education. I thank members of the Legislative Council who participated in the hearings and the committee staff for their valuable support and assistance. I also thank the Ministers and departmental officials for appearing and answering the committee's questions, and I note the role their staff played in the process. In particular, I thank my fellow committee members: the Hon. Natasha Maclaren-Jones, Deputy Chair; Mr Justin Field; the Hon. John Graham; the Hon. Taylor Martin; Reverend the Hon. Fred Nile; and the Hon. Walt Secord. I also thank the Legislative Council committee staff, who worked tirelessly in accumulating data and on the subsequent printing of this report.

As per the guidelines, Portfolio Committee No. 3 was required to examine the proposed expenditure for the portfolios mentioned. On 21 June 2017, the Legislative Council resolved that the budget estimates and related papers for the financial year 2017-18 disclosing the amounts to be appropriated from the consolidated fund be provided to the portfolio committees for inquiry and subsequent report. The committee held four public hearings as follows: Thursday 31 August 2017, Early Childhood Education and Aboriginal Affairs; Thursday 31 August 2017, Skills, Regional NSW, Small Business; Monday 4 September 2017, Tourism and Major Events; and Tuesday 5 September 2017, Education. I will focus on the committee's report on Education. The following issues were raised during the 5 September examination of the portfolio: the National Assessment Program—Literacy and Numeracy [NAPLAN] link to awarding of the Higher School Certificate [HSC]; education land and asset sales and acquisitions; home schooling; preschool participation rates; the anti-bullying program; and the English as an Additional Language or Dialect Support to Schools Program.

In April 2018, David Gonski released his review of Australian school education. Mr Gonski emphasised the need to ensure that teaching and learning is tailored to the needs of every student. The New South Wales Government, in agreement with Mr Gonski, has shifted from an industrial model of school education to a new personalised teaching model to ensure that students are equipped to be productive, twenty-first century citizens.

In response the Government has initiated many reforms, including: the \$50 million School Leadership Package to enable principals to focus on educational leadership; teaching quality improvements through additional mentoring for beginning teachers and revised accreditation requirements; Local Schools, Local Decisions, which gives principals and their school communities control of over 70 per cent of school resources, thereby enabling them to tailor support to the specific needs of students; and the \$340 million Literacy and Numeracy Strategy, which includes a focus on early intervention to improve student learning outcomes.

In addition, the Government has focused on increased literacy skills meaning a minimum literacy level will be required for the awarding of the HSC. The new minimum literacy standards will be in place by 2020. The minimum standard will require students to be able to follow operating instructions in equipment manuals, to write a job application, and to prepare an invoice. NAPLAN has been a great tool in assessing a student's literacy, with participation rates in New South Wales averaging more than 95 per cent—the highest in the country. NAPLAN test results identify strengths and weaknesses in teaching programs and thereby facilitate improved teaching methods that improve literacy and numeracy. NAPLAN results also increase parent and teacher participation in identifying students who require additional support.

To assist all students in literacy, the Government has budgeted \$129.3 million for 2018, which will be allocated directly to schools to fund the English as an Additional Language or Dialect Support to Schools Program. The program will provide intense English and transitional support for additional refugees from Syria and Iraq. Bullying is a major concern in our schools. As most of us are aware, online bullying has become an increasing concern. The New South Wales Government, in consultation with leading Australian academics, has developed a website that provides evidence-based resources for school communities to identify, to prevent and to respond to bullying.

In addition to providing new online resources and lesson plans, the new anti-bullying strategy will also significantly expand the Youth Aware Mental Health Program in collaboration with the Black Dog Institute. This is an evidence-based wellbeing, mental health and suicide prevention program for young people aged 14 years to 16 years. Further, \$4.1 million has been provided to employ 10 accredited trainers at head teacher level, to convene metropolitan and regional anti-bullying workshops and conferences for school staff, students and parents, and to provide professional development and training for teachers and other school staff to prevent and respond to bullying behaviour.

In 2017 the Government conducted the first preschool census since the implementation of the Start Strong reforms, and 737 New South Wales community preschools participated. The Start Strong reforms are part of the Government's commitment to ensure all the State's children, regardless of their location, have access to 600 hours of quality preschool education in the year before they start school. Start Strong was introduced in late 2016, and has been extended to 2021 with further funding of \$217 million over four years, which was announced in the 2017-18 budget. The program is the single biggest investment of State funds in early childhood education in New South Wales history.

The program has significantly reduced average daily preschool fees by 25 per cent across the State and has seen an increase of more than 40 per cent in the last year of children undertaking 600 hours of preschool. The Minister for Early Childhood Education, and the Minister for Aboriginal Affairs, the Hon. Sarah Mitchell, announced the Families as First Teachers program in April this year. The Government acknowledges that many Aboriginal families face challenges such as geographical isolation. In the early years of childhood development, families are the primary source of education for young children. The Families as First Teachers program will strengthen the capacity of Aboriginal families to provide a rich home learning environment to the State's youngest learners. The Government has initially provided \$1 million to encourage community-based not-for-profit organisations and local councils with experience in education services to join the scheme.

The scheme, which is focused on Aboriginal children aged up to five years, has the following five core objectives: to support Aboriginal families to provide developmentally rich home learning environments for young children from birth up to five years; to promote literacy- and numeracy-rich home learning environments; to build confidence of families in their ability to support the healthy development and learning of their children; to support Aboriginal children and their families for successful transition to school; and to promote the importance of early childhood education within families and communities, including participation in a quality early childhood education program for a minimum of 600 hours in the year before school.

Organisations wishing to participate in the fund will be required to have the following program requirements. They will need to be structured but flexible to respond to the needs of families, children and the community; be family centred; be strengths based and culturally appropriate while recognising and building on the strengths of Aboriginal culture and ways of teaching young children; and they will need to have activities developed by a certificate III or diploma-qualified early childhood educator, early childhood education teacher, or other person with a relevant tertiary qualification. The organisations will also be required to have the ability to

facilitate links with early childhood services in the community, including participation in a minimum of 600 hours of early childhood education in the year before school. The minimum 600 hours of early childhood education is in line with the Government's Start Strong program that was introduced in late 2016. The organisations must also be able to engage and sustain partnerships with community stakeholders to support the capacity of families to enhance early development outcomes for children from birth up to five years of age.

Currently, there are more than 710,000 small businesses operating in New South Wales. As we all know, small businesses employ around 1.56 million people—almost half of the State's workforce. Small businesses in New South Wales generate \$47 billion in annual wages and salaries. In April this year, the Government announced the Skills for Business program so that small businesses and their staff will have access to free training, thanks to the new \$30 million initiative. The small business environment is extremely challenging—there are a lot of challenges facing small business owners at the moment. The ability to receive free training will be a boost to the productivity of many small businesses. I can assure you that it will be a welcome relief to many small businesses out there. To maintain small businesses, which are a major contributor to the New South Wales economy—we all know how important they are—a strong and educated workforce that is continually upskilling to keep up with evolving and emerging technologies is vital.

The Skills for Business program would be open to all small- to medium-sized businesses operating within New South Wales with up to 199 employees but businesses with fewer than 19 employees will get priority. As I said earlier, small businesses out there will welcome it. Fully subsidised training courses will also be offered in financial planning, taxation, risk management, legal decisions, using spreadsheets, social media tools, website creation and maintenance, creating an e-business, and cybersecurity. There are many initiatives for small businesses.

The Hon. NATASHA MACLAREN-JONES (17:14): I contribute to the debate on Portfolio Committee No. 3, report No. 38. I also commend and thank the new chair who was chairing his first budget estimates. The report examined the portfolios of Early Childhood Education, Aboriginal Affairs, Skills, Regional New South Wales, Small Business, Tourism and Major Events, and Education.

While examining the portfolio area of Aboriginal Affairs, the Minister addressed questions around the OCHRE Plan—that is, the Opportunity, Choice, Healing, Responsibility and Empowerment Plan. It was established in 2011 and is the Government's strategy for Aboriginal affairs. The plan emphasises the Government's commitment to supporting strong Aboriginal communities in which Aboriginal people actively influence and participate fully in social, economic and cultural life. All aspects of the implementation of OCHRE are undertaken in close partnership with Aboriginal communities. Since 2011 the New South Wales Government has spent \$94.1 million to support Aboriginal-owned businesses and doubled the number of Aboriginal people within public sector leadership roles. Last year the Government released the report, "OCHRE: Four Years On".

The implementation of OCHRE is underpinned by a robust accountability framework that includes independent monitoring and assessment, regular public reporting and an approach to evaluation that has Aboriginal communities setting the measures of success. The report showed a number of achievements including Opportunity Hubs that are providing young Aboriginal people with clear pathways and incentives to stay at school and transition into employment, training or further education. There are four providers: MTC Australia in Campbelltown; TAFE NSW in Dubbo; Tamworth Local Aboriginal Land Council; and Aboriginal Employment Strategy in the Upper Hunter.

The committee also examined the Smart and Skilled reform of the State's vocational training and educational system. The Minister outlined that the reforms were helping people get the skills they need to find a job and advance their careers. The policy provides eligible students with an opportunity to access Government-subsidised training up to and including certificate III as well as Government funding for higher level courses in targeted priority areas. The new Smart and Skilled website provides up-to-date information where students can browse through approved courses and check their eligibility. The number of people taking up apprenticeships in the State has continued to climb, up 2.3 per cent compared with last year. The Government is committed to encouraging school leavers to consider vocational training as an alternative to university. In line with this aim, the Government launched the Doors to Opportunity VET campaign in August last year which aimed to change perceptions around taking up a trade or certificate qualification after leaving school.

The committee also examined the Tourism portfolio which provides economic benefits across New South Wales. International visitors contributed a record \$9.8 billion to the State economy over the 2016-17 financial year. The Government's commitment to tourism and major events funding across the State has ensured that New South Wales remains the number one destination in the Asia Pacific. The 2017-18 budget includes \$193 million to attract visitors, support jobs and boost local economies. Visitation to rural and regional areas continues to be driven by a record \$43 million funding commitment over four years announced in 2016 to drive innovative industry reforms such as the establishment of six Destination Networks across New South Wales.

In regional New South Wales, the Government has secured widely attended events including the Coates Hire Newcastle 500, the Kennards Hire Rally Australia in Coffs Harbour, WSL World Surfing Championships in Kiama and the Australian Little League Baseball Championships in Lismore. Record rural and regional funding also includes a Regional Cooperative Tourism Marketing Program, a Regional Tourism Product Development Program, a regional conferencing unit and an expanded Regional Flagship Events Program. Last financial year, regional New South Wales reached a record 781,000 international visitors. The Government has allocated funding such that rural and regional areas will benefit from the Tourism and Major Events portfolio in the same manner as metropolitan areas. A new \$100 million Regional Cultural Fund will support regional New South Wales to develop diverse and exciting regional arts and culture projects. The fund will support projects that provide distinct experiences to visitors and promote increased participation in creative and cultural activities as well as upgrading existing cultural facilities.

The Government's Regional Growth Fund is investing an extra \$1.3 billion in regional infrastructure to support growing regional centres, activating local economies and improving services in communities. Combined with \$300 million to drive regional tourism through the Regional Growth—Environment and Tourism Fund, there is \$1.6 billion in funding available for regional growth. The Regional Growth Fund will invest in projects that facilitate regional development through six funds: the Regional Sporting Infrastructure Fund, the Stronger Communities Fund, the Resources for Communities Fund, the Regional Cultural Fund, the Connecting Country Communities Fund and the Growing Local Economies Fund. These will serve as the strategic directives for the allocation of the new funding.

It is important we ensure New South Wales schools have the capacity to cater for increased numbers of students. Across Western Sydney \$220 million has been allocated for construction and upgrades, including new classrooms and learning facilities. Construction has started on a new block at Hurlstone Agricultural High School which will include five science laboratories and supporting spaces, woodwork and metalwork facilities, and food and textile learning spaces. In the seat of Granville, funds have also been provided to Merrylands Public School for an extra 10 classrooms. We have also provided funding for 24 classrooms at Greystanes Public School, 20 classrooms for Parramatta West Public School, and 14 for Pendle Hill Public School. Furthermore, the Government has delivered a \$110 million maintenance blitz of New South Wales schools. The investment is part of a \$747 million commitment over four years to provide school maintenance. In addition to this four-year maintenance blitz, the New South Wales Government is also investing a record \$4.2 billion over the next four years on capital expenditure to cater for rising enrolments.

The Government remains committed to providing a safe environment for children as they enter school. The New South Wales Anti-bullying Strategy brings together evidence-based resources for students, teachers and parents to identify bullying, prevent bullying, and respond to bullying behaviours. The strategy includes online resources and lesson plans for teachers. The new anti-bullying program will significantly expand the Youth Aware of Mental Health program, in collaboration with the Black Dog Institute. I commend the report to the House.

The Hon. LOU AMATO (17:21): In reply: It is obvious that the Government has been working hard to provide the necessities that this great State needs to keep itself number one. I thank all the members and all those who participated in the report: The Hon. Natasha Maclaren-Jones, the Hon. Taylor Martin, Reverend the Hon. Fred Nile, the Hon. Walt Secord, the Hon. John Graham and Mr Justin Field. I also thank the committee staff, who work hard and tirelessly, for their valuable support and assistance. I commend the report to the House.

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

Motion agreed to.

PORTFOLIO COMMITTEE NO. 2 - HEALTH AND COMMUNITY SERVICES

Report: Budget Estimates 2017-2018

Debate resumed from 1 May 2018.

The Hon. GREG DONNELLY (17:23): In reply: I thank members for participating in this debate and I commend the report to the House.

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

Motion agreed to.

PORTFOLIO COMMITTEE NO. 4 - LEGAL AFFAIRS**Report: Budget Estimates 2017-2018**

Debate resumed from 13 February 2018.

The Hon. ROBERT BORSAK (17:23): I am pleased to make a brief contribution to the take-note debate on report No. 34 of Portfolio Committee No. 4 entitled "Budget Estimates 2017-2018". I thank committee members Deputy Chair Mr David Shoebridge, the Hon. David Clarke, the Hon. Catherine Cusack, the Hon. Trevor Khan, the Hon. Shaoquett Moselmane, and the Hon. Lynda Voltz for their cooperation during budget estimates hearings. I also thank the Hon. Rick Colless, the Hon. Mark Pearson, the Hon. Natasha Maclaren-Jones, Dr Mehreen Faruqi, the Hon. Adam Searle, the Hon. Lou Amato, and the Hon. Courtney Houssos as non-substantive members who added to the hearings. This is an excellent committee that performs its functions well with a lot of reciprocal cooperation between parties, even between The Greens and the Shooters, Fishers and Farmers Party.

If we want to get things done here in this Parliament in New South Wales, as we have seen with many inquiries currently underway, we must approach each issue pragmatically and cooperatively. These committees would not function without the committee secretariat. We are fortunate to have an efficient and informed secretariat who are exceptionally good at what they do. I thank all of them for their assistance during the inquiry process. I thank the Hansard staff for ensuring that the hearings were accurately recorded, and I thank all the Legislative Council attendants for making our work much easier.

The inquiry consisted of three hearings to examine the following portfolios: Police and Emergency Services, Corrections, Counter Terrorism, and Veteran Affairs, and Attorney General. A supplementary hearing was also held for the Police and Emergency Services portfolios. I thank the respective Ministers and their departmental staff for attending the hearings and for being frank when answering our questions. I have utmost respect for Deputy Chair Mr David Shoebridge and the important contribution he makes to our committee work. However, hearings of Portfolio Committee No. 4 can become a bit feisty, particularly when Mr Shoebridge is asking the questions and cross-examining the witnesses. I am pleased to say that all the Ministers handled themselves well and did their best to provide information to the committee. Once again, I thank all those involved for their assistance during the Portfolio Committee No. 4 inquiry into the 2017-18 budget estimates. I commend the report to the House.

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

Motion agreed to.

PORTFOLIO COMMITTEE NO. 5 - INDUSTRY AND TRANSPORT**Report: Budget Estimates 2017-2018**

Debate resumed from 13 February 2018.

The Hon. ROBERT BROWN (17:27): I am pleased to make a brief contribution to the take-note debate on report No. 46 of Portfolio Committee No. 5 entitled "Budget Estimates 2017-2018". I thank committee members Deputy Chair the Hon. Mick Veitch, the Hon. Rick Colless, Dr Mehreen Faruqi, Mr Scot MacDonald, the Hon. Daniel Mookhey, and former member of Parliament the Hon. Greg Pearce. I also thank the non-substantive members who attended the hearings: Mr Jeremy Buckingham, Mr Justin Field, the Hon. Mark Pearson, the Hon. Adam Searle, the Hon. Penny Sharpe, the Hon. Wes Fang, the Hon. Lynda Voltz, Ms Dawn Walker, the Hon. Dr Peter Phelps and the Hon. Scott Farlow. I thank the secretariat. The committee secretariat works hard and has an enormous amount of work these days with the number of other committees that are running. It always seems to be able to get the work done on time and circulate reports prior to the meetings. The work the secretariat does is exemplary.

The same thanks must go to Hansard. Hansard does not get anything wrong; it always gets it right. Hansard has difficulty in some of the more technical hearings when witnesses use technical acronyms left, right and centre, but we generally manage to get those things done. There are some late nights and long hours, and Hansard never falters. This place could not function without Hansard providing those transcripts in a timely manner. I thank them. I also thank the Legislative Council attendants. Although they are very rarely called upon to—

The Hon. Mick Veitch: Throw anyone out.

The Hon. ROBERT BROWN: Yes, throw anyone out. Nevertheless, they hover in the background waiting for the chair to dive under the table and scream for help. I have not had to do it yet, but I thank them anyway.

The Hon. Mick Veitch: I've got your back.

The Hon. ROBERT BROWN: Yes, you do too. Inquiry No. 46 of the committee consisted of three hearings that covered five portfolios. We heard from Primary Industries, Regional Water, and Trade and Industry; Transport and Infrastructure; Western Sydney, WestConnex, and Sport; Lands and Forestry, and Racing; and Roads, Maritime and Freight. A supplementary hearing was also held for the Lands and Forestry, and Racing portfolios. I thank Minister Toole for agreeing to appear at the supplementary hearing. We rarely need to hold supplementary hearings, but when we do I know it is an imposition on Ministers and I thank them for their cooperation. I thank all the Ministers, their departments and their staff for attending the hearings and for being very frank when answering our questions.

Of late, the Legislative Council has become more assertive of its role and rights. But I have to say that the majority of Ministers know how to do their jobs. They stand up for their portfolios in hearings and, generally speaking, provide frank and full information. I thank Government members who serve on the committee and who take the view that not asking questions will save committee hearing time. The general rule is that if Government members do not ask questions, the hearing is foreshortened. That helps everybody: It helps the committee, the secretariat and Hansard, and it helps us get through the Ministers' portfolios faster. I thank Government members who served on the committee for their support; we got through it a lot faster. Once again, I thank all those involved in the hearings. I will not go through the detail of the evidence that was given; I will leave that to other members of the committee if they wish to do so. I commend the report to the House.

Mr SCOT MacDONALD (17:32): I thank the chair and the committee staff for their work on the budget estimates hearings of Portfolio Committee No. 5 – Industry and Transport. I will make some brief comments on some of the stand-out issues for me during budget estimates. The first issue was the discussion around the construction of the water pipeline to Broken Hill, which reinforced to me the importance of this piece of infrastructure. The Broken Hill community has been calling out for a solution for decades. Many options have been canvassed, including management of the Menindee Lakes. The bottom line is that the pipeline represents a secure, long-term solution to a problem that has bedevilled Broken Hill for a very long time. Yes, there were discussions during estimates about costs, and that is good and is part of the rigour of budget estimates. But I do not think we would resile from the point that, for the first time, one of our major inland cities will have its water issues addressed. I very much look forward to the delivery of the Broken Hill pipeline, and I thank the Minister for his answers to questions on that subject.

I will touch on a couple of other points. As always, the Minister for Transport and Infrastructure provided a bit of excitement. He is always very robust in his answers and engagement with the committee. I will put it this way: No-one was left wondering. The Minister raised two points that I want to stress. We had a brief discussion about the Newcastle light rail and its progress, and some of the consequences of that city's renewal. The renewal package totals \$650 million. The project is well underway, and is on budget and on schedule. The light rail project is the backbone of a very significant renewal plan for the State's second-largest city. The urban renewal of Newcastle is probably overdue by at least 20 to 30 years. The Minister was able to go into a little detail about the costings and some of the extra commitments that the Government made after community consultation.

The community said it wanted no overhead wires, better streetscaping around the light rail and a totally flat area around the rail line. All those things were taken on board. The cost to the budget was considerable—I think it was more than \$100 million—but, as the Minister said, that is what the community asked for. Local people made good points and arguments for those features. The Newcastle light rail will be wireless and the cars will move along the 2.7 kilometres with no overhead infrastructure. That is terrific. As I said, the main construction work will be finished in September or October and commissioning will take place over the following few months. The light rail is on track for public use around the middle of 2019.

The other issue about which members quizzed the Minister extensively was the upgrade of intercity train services, including on the Blue Mountains line. That is a \$2.3 billion project. From my recollection, much of the project is focused around the Central Coast and the Hunter, as well the Blue Mountains and the South Coast. There were some questions about the changes to platforms and tunnels. It was pleasing to hear the Minister give comfort to the committee and explain that when there is a new train fleet, like the new Intercity fleet, such changes are standard. Some of the infrastructure around platforms and the Blue Mountains tunnels will need to be changed. There is nothing unusual in that and it is the experience with previous fleet upgrades. The Minister also mentioned the Kangy Angy rail maintenance facility, and yesterday I had the pleasure of turning the sod on construction.

The Hon. Mick Veitch: What was his name?

Mr SCOT MacDONALD: Scot MacDonald was his name. The point I am trying to make is that work is happening—whether it be on tunnels, platforms or the maintenance facility at Kangy Angy. Some 200 jobs have been created there and through other work that needs to be done. As the Minister said during budget estimates, the new Intercity fleet is on target for delivery in the first half of 2019. People have been waiting for this new fleet for a very long time as the existing carriages are very old. I talked to transport staff at Kangy Angy yesterday and they said those trains simply cannot remain in service much beyond the 2019 scheduled delivery date. They have been maintained as best as possible, but they are reaching the end of their operating lives. The Minister should be congratulated on standing his ground and not being distracted by some of the issues around the Blue Mountains tunnels. Those problems will be fixed and the infrastructure upgraded to meet the requirements of the Intercity train fleet. Those were some of the things that I took from a very educational, entertaining and informative budget estimates session. I commend the report to the House.

The Hon. MICK VEITCH (17:38): I will make a short contribution to the take-note debate on the Portfolio Committee No. 5 –Industry and Transport report entitled, "Budget Estimates 2017-2018". The House is well aware of my views around budget estimates and my previous attempts to revamp the process and extend the time for estimates—which, of course, have not been successful. I will make do with what I can get. I say from the outset that the budget estimates process is an opportunity for community members to see areas of public concern arising from the budget challenged, scrutinised and analysed in a forum that is not normally available. It is a good forum for that reason.

A good chair makes a good budget estimates committee hearing, and Portfolio Committee No. 5 is fortunate to have the Hon. Robert Brown as chair. The hearings can be quite tense and can sometimes get a little out of hand, and the Hon. Robert Brown is able to chair the committee in very trying circumstances. That is why the Portfolio Committee No. 5 budget estimates are probably some of the better budget estimates processes in this Parliament. Like the chair, I also acknowledge the secretariat. There is heightened media scrutiny around these processes, which tends to bring with it a deal of further tension, suspense and theatre. The secretariat do a wonderful job in guiding not just the Chair, but also the rest of the committee through the budget estimates process.

From an Opposition perspective—I am certain it is the same for the crossbench—at the end of the hearing it is important that we get the transcripts in a timely fashion because we have to put our questions on notice within 48 hours of receipt of the transcript. I extend my appreciation to Hansard, because the transcripts are a valuable tool, particularly for shadow Ministers. If we did not get the transcripts in a timely fashion, we would not be able to put our questions on notice within that 48-hour time frame. That is very important, and I extend my appreciation to the wonderful people in Hansard as well.

Looking back, these budget estimates hearings are starting to fade pretty rapidly because they took place a while ago. The initial foray was with the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. A number of areas were scrutinised. As I said, it is an opportunity for the community to raise their concerns with members—not just Opposition members but also those on the crossbench—and have those matters scrutinised and analysed through the budget estimates process. Some of the territory has been covered, and I will not go over it again. There was extensive questioning about the Broken Hill pipeline project and issues of compliance. We had the opportunity to question the Minister about some of the processes relating to Travelling Stock Reserves.

I have a particular interest in the adequate resourcing of Local Land Services with regard to biosecurity and biodiversity legislation—I sometimes get those mixed up depending on what forum I am in, but I do not think I am the only one. It is important that we were able to scrutinise the available funds and resources being put forward by the Government to allow Local Land Services to implement the Government's public policy agenda in those areas. Concern continues to be raised with me about whether Local Land Services is funded adequately; that matter may well be prosecuted in the upcoming budget process. I look toward that process with interest.

The Minister for Lands and Forestry, and Minister for Racing hit the ground running in the budget estimates process for those portfolios area and, more importantly, the supplementary hearing. Committee chair the Hon. Robert Brown said in his contribution that supplementary hearings are not a regular occurrence. Usually committees conduct a supplementary hearing because something has transpired between the hearing and the delivery date, or there was deemed to be inadequate information or an insufficient response from the Minister. One reason for the supplementary hearing was the cemetery policy. My recollection is that the day before the supplementary hearing there was a front-page story about an unsolicited proposal essentially to privatise Sydney cemeteries. We asked the bureaucrats representing the lands department about their involvement. I took cold comfort from their response. To be fair to the bureaucrats, they made it very clear that they had no idea about the unsolicited proposal. No-one had been in touch with them.

I find that a little bizarre because it is the policy area for which they are responsible. One would think that if there were a proposal—particularly an unsolicited proposal—to privatise Sydney cemeteries, someone

would talk to the lands department about it at some stage. That had not happened and we were able to uncover that glaring problem via the budget estimates process. For a range of reasons, forestry policy has not really had the adequate scrutiny that I think it deserves. That is not a criticism of anyone in particular. Often it gets put either with the Minister for Primary Industries or somewhere else, and so many other things are going on that we do not have the time during budget estimates hearings to ask the relevant questions. I think that is unfortunate. This year, having a Minister for Lands and Forestry provided us with more opportunity to ask those questions.

The chair may have delved into forestry policy a little with his questioning at the budget estimates committee hearing. It is good that the Forestry portfolio and public policy area received some scrutiny via the budget estimates process. It is a shame that we cannot do the same with all public policy areas, but they get pulled into clusters and lost, and it becomes quite difficult. The upcoming budget will be an election budget. A range of matters were raised during budget estimates last year that I will watch very closely in the budget process coming up in the next couple of weeks. The community have some expectations as well; I certainly hope that those expectations will be considered and met. Serving on Portfolio Committee No. 5 has been a delight. Serving as the deputy chair has been wonderful because of the chairing capacity and ability of the Hon. Robert Brown. If the Hon. Robert Brown was to run a masterclass in chairing a committee, we should all attend because he does a cracking job.

The Hon. ROBERT BROWN (17:46): In reply: I have nothing more to add, other than to highlight and repeat my thanks to the committee members for their help and cooperation. I thank the Government committee members for allowing their questions to be foregone, which saves a lot of time. I guess we will do the whole thing again in three months or so. I commend the report to the House.

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

Motion agreed to.

STANDING COMMITTEE ON LAW AND JUSTICE

Report: Statutory Review of the State Insurance and Care Governance Act 2015

Debate resumed from 1 May 2018.

The Hon. SHAYNE MALLARD (17:48): In reply: I spoke at length on this report of the Standing Committee Law and Justice about three or four weeks ago. It has been on the *Notice Paper* since then and other members have decided not to contribute to the take-note debate. However, that does not mean their contribution was not worthy. I again point out that this is an unusual report because Parliament does not usually conduct statutory reviews; that is usually the area for bureaucrats. However, as the Parliament directed the Standing Committee on Law and Justice to conduct this review, we did so and found that the legislation is largely performing its duty. With those few words and the five recommendations, I commend the report to the House.

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

Motion agreed to.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. ROBERT BROWN: On behalf of the Hon. Robert Borsak: I move:

That Committee Reports Order of the Day No. 6 be postponed until the next sitting day.

Motion agreed to.

Committees

COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Report: Review of the 2014-2015 and 2015-2016 Annual Reports of the ICAC

Debate resumed from 13 March 2018.

Reverend the Hon. FRED NILE (17:50): I am pleased to conclude my remarks on the Committee on the Independent Commission Against Corruption report No. 5/56, entitled "Review of the 2014-2015 and 2015-2016 Annual Reports of the Independent Commission Against Corruption", dated March 2018. The report produced by the committee is perhaps one of its important because the review period covered a major reform of the Independent Commission Against Corruption, with almost a new ICAC coming into existence. ICAC

furnished three reports against a background of significant controversy relating to both its jurisdiction and its processes. This eventually gave rise to the Independent Commission Against Corruption Amendment Act 2016, which came into force in August 2017.

The amendment Act restructures the ICAC, replacing its sole commissioner model with a three-member panel of commissioners. On 7 August 2017 the Hon. Peter Hall, QC, was appointed to the new position of Chief Commissioner, while Patricia McDonald, SC, and Stephen Rushton, SC, were appointed to the positions of commissioners. They replaced the then Acting Commissioner, the Hon. Reginald Blanche, QC, who had been acting in this office following the resignation of the Hon. Megan Latham on 30 November 2016. The ICAC now moves into a period of operating under this new panel of three commissioners, with the chief commissioner and two supporting commissioners. The amendment Act has provided for significant change to the ICAC's processes, including tightening the decision-making requirements to progress to a public inquiry and a requirement for the ICAC to issue procedural fairness guidelines for the conduct of its public inquiries. It also provides for the appointment of a chief executive officer to take care of ICAC's day-to-day functioning. I understand that the chief executive officer has not yet been appointed, unless this appointment has taken place recently.

As part of its review, the committee heard from the new commissioners about implementation of these changes. This is covered in the committee's report alongside the various issues that come up when a review of an annual report is undertaken, including an examination of processes to maintain confidentiality during ICAC's investigations, a review of complaints statistics and an examination of decisions to investigate. The committee's report also covered two new, major capacity-building projects launched by the new commissioners. I congratulate the commissioners on their speed in introducing those projects. One of the new projects is a comprehensive review of processes by KPMG and the other is a project to increase ICAC's proactive investigation capacity. The committee will continue to monitor progress on the two projects with great interest. I and other members of the committee are happy to support the appointment of the three commissioners, and I congratulate them on what they have already achieved, while looking forward to more progress in the future. In the committee's findings it was stated that ICAC would benefit from the appointment of a chief executive officer.

The committee made only two recommendations. One is that in its future annual reports the ICAC include details of the number of inquiries it has commenced on its own initiative during the reporting year versus the number activated on the basis of complaints and notification of alleged corrupt conduct. The ICAC committee was keen to encourage ICAC to commence inquiries on its own initiative, which is why it made this recommendation. Rather than being just an observer, the committee encourages ICAC to take a more proactive role when it feels it is necessary to inquire into a particular area. The second recommendation is that in its future annual reports the ICAC publish the number of unauthorised disclosures of confidential information made in the course of its investigations of which it has become aware during the reporting year and the details of any action the ICAC has taken in response. It is a serious matter when there are unauthorised disclosures of confidential information that may have arisen from an ICAC inquiry. Obviously, strong steps must be taken to prevent such disclosures from happening and, if such disclosures occur, the people to blame must face the various available penalties.

The report covers a number of areas, including the amendments to the Act that I have mentioned already, the restructuring and functioning of the ICAC, the major capacity-building projects and liaison between the ICAC and the Inspector of the ICAC, along with assessment and investigation procedures. The report also covers corruption prevention and education functions. The committee performs a very important role. It became clear during a situation involving the previous commissioner, the Hon. Megan Latham, that ICAC faces virtually an inquiry through the committee process, when committee members question the commissioner and the ICAC staff. The committee process keeps ICAC staff on their toes when carrying out their role and ensures that they operate effectively and within the law. A serious matter that arose during the review period followed a challenge to ICAC's investigation of Ms Margaret Cunneen, SC. As members will know, the High Court found in April 2015 that ICAC did not have the jurisdiction to investigate a private individual suspected of misleading a public official where the probity of the exercise of an official function by the public official was not adversely affected. The High Court decision meant that the jurisdiction of ICAC was now more narrow than the commission had previously interpreted it to be. I believe that is a positive outcome from an unhappy period in the life of ICAC. I commend the report to the House.

The Hon. Dr PETER PHELPS (17:59): Once again I raise my concerns about the Independent Commission Against Corruption [ICAC] and the ability of the ICAC joint committee to appropriately investigate matters. I refer to Operation Jasper and the outrageous way which the senior management of Cascade Coal Pty Limited were treated. The fundamental point of Operation Jasper was for ICAC to deal with the allegation raised that Ian Macdonald conspired with the Obeids to create the Mount Penny tenement, and moreover that Mr Macdonald's motive was that he would receive help and benefit from Eddie Obeid for past and future favours. I am very surprised to find that Eddie Obeid, one of the leading members of the New South Wales Right, would

be doing any preselection favours for Mr Ian Macdonald, who I understood at the time was a member of what is called the Hard Left.

The suggestion from ICAC that Mr Macdonald owed any favours to Mr Obeid is as outrageous as it is stupid. Mr Obeid had no control whatsoever in the Left and no numbers to be able to deploy in the internal left factional preselection battle prior to the 2007 State election. The motive which is ascribed is completely and utterly bogus. One has to assume instead that Mr Macdonald conspired with the Obeids to create something out of the goodness of his heart. The trouble with this is that this conclusion is not supported by any facts whatsoever. At this time Mr Macdonald, as a member of Cabinet, was under pressure to raise money for the then Treasurer. He said to his department, "Is there anywhere we can perhaps put out to tender, any mining allotments?" And sure enough, there was: Ridgeland, Benelabri and North Bylong. But the department does not want to put North Bylong out to tender. Why? Because even though it is located between Peabody in the west and Anglo in the east, there has been almost no drilling done on it by the department.

The department is worried that if the entire North Bylong allotment is put up to public tender it is going to get lowballed on any bid. What does Macdonald do? Faced with the intransigencies of his department he goes to the then Treasurer and says, "Can you give me some money so that we can do exploratory drilling on this land?" Mr Costa says—unsurprisingly, because he is the Treasurer—"No, you can't get any more money." Costa then reminds him that Macdonald has promised him in the Expenditure Review Committee that Macdonald will deliver a certain number of millions of dollars from his portfolio through the tendering of various allotments. Macdonald goes back to his department and says, "What can we do?" The department finds a series of minor allotments, normally in areas which are already covered, plus the department—on the advice not of Macdonald but of senior officials within the department—goes back and carves out a portion of the North Bylong exploration zone and calls it Mount Penny. I will repeat: It is not done on the request of Mr Macdonald, it is done within internal practices.

One only has to go to the private testimony given to ICAC by various people, and of course was not released by ICAC—including that of Julie Moloney, who makes it quite clear that it was done on the basis that there was no input from the Minister's office and by a Mr Schiavo on the recommendation of a Ms Wiles from Coal Advice. This testimony comes on 27 June 2012 where Moloney is being interviewed by ICAC operatives. She makes it quite clear that it is prepared by Schiavo on advice from Leslie Wiles, not prepared by the Minister, Ian Macdonald, not under any advice from the Minister but under advice from departmental officials who want to provide something to the Minister so they can then tender it out. The idea that he has created these allotments—either the original North Bylong allotment or alternatively the Mount Penny allotment—is completely and utterly false. More importantly, ICAC knew it was false but deliberately withheld the private testimony so that it could add to this fig leaf that they created that Macdonald was somehow involved in the actual creation of the geographic boundaries of the allotment. That is false.

Let us go on from there. The other issue is that Macdonald somehow conspired with Obeid. This is the actual chain of events. The Obeids buy the property in the Bylong Valley. Ostensibly they claim it is a retirement farm for their father. Let us put to one side whether Obeid knew or suspected that there might be coal on that property—the fact is it was owned by them. What they did not know was a portion of that property was already on the existing Anglo Mining exploratory lease. In early 2008, certainly before May 2008, Eddie Obeid asks Macdonald, "What is this idea about there being mining on my property?" Remember, even ICAC accepts on page 36 of their report that Obeid did not know about the Anglo allotment, which was on part of his property. In early 2008 Obeid asks about this. Macdonald says he will find out the answer for him. Macdonald's staff then tell Obeid that there is no mine currently planned on that land, despite the fact that Anglo has an exploratory licence.

Part of the problem that Macdonald faces is that he wants there to be exploration and he wants there to be mining. Why? Because it is the height of the coal boom at that stage and if you have mining on land then you get the joys of not only employment by the Construction, Forestry, Maritime, Mining and Energy Union [CFMEU], but also you get royalties—the same royalties which he had promised to the then Treasurer that he would deliver through his portfolio. Unfortunately, Anglo is not interested. Then in May 2008 Moses Obeid buttonholes Macdonald and Macdonald basically says to him, "Look, on all the allotments I'm going to be introducing a policy of 'use it or lose it'. I am sick and tired of land banking by the big mining companies. If they're not going to use it, then they will lose it." Of course, if one takes Obeid's testimony at face value and accepts that it is a retirement farm for his father, what that means is: Do you really want a coalmine next to your retirement property? If the answer is no, then you are looking at a way to get out of that as quickly as possible—and that appears to be what happens, if one accepts the Obeids testimony.

In June 2008, one month later, Macdonald again is contacted by Moses. He says again that there is no Anglo mine or exploration on the adjoining property but there may well be and, this is contended, ICAC says that he says there are going to be new licences given in the area anyway. Macdonald claims that conversation did not

happen. That is generally irrelevant. The point is that the Obeids know at this stage that there is going to be a mine next to their father's property some time in the not too distant future. How does that create a corrupt situation? The answer is: It is not a corrupt situation. All of this information was freely available at the time. Macdonald has not passed on to Obeid any information which could not already be obtained by simply looking at a map, and suffice to say the Obeids did not look at the map when they bought their property in the Bylong Valley.

The other thing which strikes me bizarre about Operation Jasper, and which has not been fully resolved, is that if Macdonald and Obeid were conspiring with each other, why did Macdonald subsequently step in to call for a new tender process? After Monaro Mining had won the tender—and there is some indication that Monaro and the Obeids were in it together—if the fix was really in, why did Macdonald at that stage say, "No, there's going to be a new expression of interest"? That is something which has never been adequately explained and certainly not explained in the ICAC report. The simple fact is this: Even if you accept, and I do not accept, that the entire process was corrupt, Cascade is the innocent victim because Cascade has no role in the initial allocation of the licence.

Cascade people have been stuck in a terrible situation. They cannot go back to ICAC and get the matter reheard. ICAC Inspector McClintock said that he is only going to do investigations prospectively—investigations that have arisen after his appointment. So Cascade cannot get justice there. They went to court. The Court of Appeal has already made draft orders and costs against the Government. But the Government made retrospective legislation which was passed by this Parliament to nullify those. It is a disgrace—it should be investigated as soon as possible. *[Time expired.]*

Debate adjourned.

Adjournment Debate

ADJOURNMENT

The Hon. SARAH MITCHELL: I move:

That this House do now adjourn.

ECONOMIC GROWTH

The Hon. CATHERINE CUSACK (18:10): Premier Berejiklian recently released a document, "NSW: a state transformed", covering 2011 to 2018. My goodness, it makes compelling reading! It explains how the Government delivered on its core promise to make New South Wales No. 1 again by creating 445,000 new jobs including 65,600 in regional New South Wales.

Our State now has the lowest unemployment, and 2.7 per cent average annual growth. That is the best growth in the country, and New South Wales is actually powering most of Australia's annual gross domestic product [GDP] growth. The Government has delivered an \$80 billion infrastructure pipeline which is transforming health services, schools and roads across regional New South Wales. Remarkably, the Government has not funded this with unsustainable debt. In fact, our budget is in surplus—a record \$5.7 billion surplus, which is the envy of every economy in the Western world. It is why our Premier and Treasurer are in high demand as speakers in the United States of America and in other countries which want to understand the miraculous transformation of New South Wales in order to copy our success. It is no secret. The breakthrough has been in asset recycling, where the Government has used innovative models to lease or sell underutilised assets, engage private investment and leverage those funds back into high-demand infrastructure. In the process the Government has increased the State's total asset base by over \$100 billion.

Many of our best investments in livability and environment programs are being delivered in partnership with local councils. Tonight I want to highlight the incredibly positive partnership that has evolved between the Berejiklian Government and the Port Stephens Council, whose elected representatives and staff are working as a tight-knit team focused on getting the best outcomes for their constituents. Recently it was my honour to announce \$3 million funding for Port Stephens Koala Hospital—a unique and important facility to care for these little fellas when they are sick or injured and to display animals that have recovered but cannot be released back into the wild and would otherwise be euthanised. I pay tribute to the phenomenal volunteers and staff, so capably led by Carmel Northwood, Simone Aurino and Ron Land. Other initiatives have included more than \$1 million dollars to upgrade two parks, including a new amphitheatre at Nelson Bay and the complete redevelopment of parkland at Anna Bay. The council has won funding for innovative waste projects, including a wi-fi bin that self-compacts and tells council when it needs to be emptied. There is no question that Port Stephens Council is cutting edge and customer focused.

I commend the council for its ambitious vision for an amazing Aboriginal precinct at Birubi Point. That area is already overrun with tourists and will become one of our most outstanding tourism destinations when the

project is delivered. As a resident of Lennox Head I am well aware of the economic and social challenges picturesque coastal locations face because our tourist season lasts for barely four months of the year. It is a boom-bust cycle for small business people, who are doing everything they can to make a living so they can support their kids growing up in such idyllic environments. Imagine my excitement to learn Port Stephens Council has recently announced planning for a new Tomaree Sports Complex master plan. Mayor Ryan Palmer says the master plan sets out council's vision for the future of the site and will be used to support grant funding applications to assist with the delivery of the plan. He said:

To ensure we attract the funding that will see this plan realised, we need to make our voices heard.

This is not only an investment in our community, but it will also allow us to attract even more sporting and community events to Port Stephens, which provides a welcome boost to the local economy.

To fund this exciting master plan council is looking to its own asset recycling. A vacant block of land on Foreshore Drive is proposed for sale so that the money can be reinvested in the Tomaree Sports Precinct Plan. While I did not expect the local Labor member of Parliament, who opposes virtually every initiative taken by council and the Government, to support the plan, I was taken aback by the dishonesty which has seen her post three times on Facebook a picture of a koala on a tree branch looking across—

The Hon. Greg Donnelly: Point of order: The member knows the tradition and practice of this House with respect to the adjournment debate. It is not an opportunity to reflect on members of this House or the other House. That is precisely what the Hon. Catherine Cusack is doing. I ask that she be requested to desist. If she refuses to desist I will continue to take points of order—I am putting her on notice.

The DEPUTY PRESIDENT (Dr Mehreen Faruqi): The member's time has expired. There is no point of order.

STATE ASSETS PRIVATISATION

TRIBUTE TO ERNIE PAGE

The Hon. JOHN GRAHAM (18:15): As he delivered the Government's last budget Treasurer Dominic Perrottet slipped on the Roman toga and declared his own work to be the envy of the Western world. Before he delivers his next budget he might do well to study the work of some of his predecessors, including the former Treasurer Michael Egan, whom I note is in the gallery of the House today. The Treasurer continued this Government's eight-year obsession with privatisation. This Government has privatised more than \$50 billion of the State's assets, including its income-generating assets. As a result, dividend income to the New South Wales Government has fallen between 2012-13 and 2016-17. It has collapsed from \$2.648 billion to \$1.1 billion. That means that there is less revenue, year on year, to pay for the services we all expect from the New South Wales Government.

That is not the only way in which New South Wales citizens are paying the bill for privatisation—especially when it comes to electricity assets. Prices are going up. I serve on the Legislative Council Select Committee on Electricity Supply, Demand and Prices in New South Wales. The committee has received heartbreaking testimony about the challenges of balancing the family budget in the face of rising power prices. The decisions that families have to make around the kitchen table are about choosing between food and power bills, and worrying about how to pay for school excursions.

Those real pressures on families are not made better by the Leader of the Government and Minister for Energy and Utilities repeatedly talking in this place about "downwards pressure on prices" or "network charges". These things may be going down, but prices are not. Prices in Sydney are up by nearly 60 per cent since this Government came to power nearly eight long years ago. Those are the figures from the Australian Bureau of Statistics [ABS]. Contrast that with the claim circulated to New South Wales voters before the last election in a mail flyer from this Government. This is what it said, in a big heading, near a picture of the Premier:

Here is my pledge to you.

Please keep it.

Then, under a smaller heading, "Mike Baird's pledge to you," the fourth point of the pledge was:

Prices will not rise as a result of this plan.

However, as I said, power prices have gone up. The ABS says power prices are up by nearly 60 per cent. As to the pledge and the request, "Please keep it," I can assure the Government that I have kept it. I intend to remind Government members of this once or twice between now and the election!

I also wish to recognise the passing of a former member of the other place, a Labor legend, Ernie Page. Ernie Page was elected to the seat of Waverley at the 1981 State election after the retirement of Wran Government

Minister Syd Einfeld. He switched to the seat of Coogee when the Waverley electorate was abolished in 1991. He served another three terms as the member for Coogee and he also served as Minister for Local Government in the first Carr Government from 1995 to 1999. Ernie Page had an encyclopaedic knowledge of the local community. He worked closely with his campaign team, including Sue and Paul Tracey. Together, the local Coogee team was some of the greatest marginal seat campaigners in the country at the time. The physical symbol of this was the Ernie van, a slightly beaten-up delivery van that served as transport, a mobile campaign headquarters and advertising billboard all in one.

Ernie was a diabetic and under stress he could become highly agitated. I thought we were going to kill him when we nominated him as a candidate at the Labor Party's annual conference at the Sydney Town Hall. I think it was for the position of General Secretary of the Labor Party. Despite the stress, and thanks to a steady supply of jelly beans, he flew the flag and survived the experience. The member for Kingsford Smith, Matt Thistlethwaite, has provided a description of Ernie Page on social media during the past 24 hours, and I could not have said it better, "Minister for Local Government in the Carr Government and all round good bloke." I concur.

GREYHOUND RACING INDUSTRY

The Hon. ROBERT BORSAK (18:19): Tonight I remind the House of the Shooters, Fishers and Farmers Party's unwavering support for the greyhound racing industry, and that support will be maintained. If anyone thought that this issue could be swept under the carpet with an occasional announcement by the Deputy Premier as though he has the greyhound racing industry at heart, I for one will not be sold that pup. Since 2013, my colleague the Hon. Robert Brown and I have been championing the interests of the greyhound racing industry. We were joined in that support with the election of our colleague the member for Orange, Philip Donato, in 2016.

This Liberal-Nationals Government tried and failed to shut down the industry. We all know how that played out, particularly in the by-election for the electorate of Orange. The destruction of the greyhound racing industry in New South Wales by this Liberal-Nationals Government continues despite the many promises made to the industry since 2017. It is death by a thousand cuts. The Government is once again trying to slowly strangle the industry with the imposition of a \$500 puppy bond and other policies designed to close it down by stealth. There is no justification for such a bond. No attempt has been made to consider the economic outcome and disastrous effect on the industry of the imposition of such a bond or, indeed, to explain why it is necessary.

The chairman of Greyhound Racing NSW, Morris Iemma, and his general counsel, Madeleine Love, are slowly bleeding dry the industry by imposing increasing costs, like the \$500 puppy bond, and circulating unsubstantiated information, including botched statistics on doping and euthanasia, which are no different from those circulated in 2016. I always suspected that this Government would have another crack at shutting down the greyhound industry. What I did not expect was another Nationals Minister doing the bidding of inner-city Liberals. Thankfully for the industry, the New South Wales Greyhound, Breeders, Owners and Trainers Association and individual participants have always come to the table with maturity and professionalism, even under intolerable and problematic circumstances thrown at them by this Liberal-Nationals Government.

In the short time that I have left, I want to raise two issues. The first relates to the employment of Madeline Love as general counsel for Greyhound Racing NSW. For those who might not be aware, Madeleine Love was employed by Paul Newson, the former chief executive officer of Greyhound Racing NSW, when he was trying to take the greyhound racing industry over a cliff. Following a request from a breeder regarding the \$500 puppy bond, Madeline Love responded by stating:

The imposition of a bond is aimed at reducing over-breeding of greyhounds in NSW and reducing the number of greyhounds euthanised each year; factors which contributed to the high level of wastage identified by the Special Commission. Whilst the current system of tracking assists in identifying the level of wastage in the industry, it does not assist in minimising that wastage. In circumstances where 13,000 to 17,000 healthy greyhounds are killed each year in NSW, GRNSW considers that the imposition of a 'pup bond' is an important measure to promote the welfare for greyhounds across NSW.

The truth is that both Greyhounds Australasia and Greyhound Racing NSW state that there were approximately 7,392 greyhounds born in 2015, 7,488 in 2014, 6,414 in 2013, and 6,888 in 2012. After the breeding regulations were implemented by Paul Newson, the breeding levels fell to nearly half in 2016. Despite repeated requests for Madeleine Love to substantiate her claim that 13,000 to 17,000 greyhounds are killed each year, which may then validate her argument about imposing a \$500 puppy bond, no explanation has been forthcoming. Fabricating euthanasia statistics has been a tool used by the Government since it began this campaign. Imposing a \$500 puppy bond to decrease the number of dogs being euthanised is outrageous and unaffordable. These statements are simply wrong. These are the same lies that were used by this Liberal-Nationals Government in 2016.

The second issue relates to arsenic and cobalt. Making arsenic and cobalt prohibited substances, despite being found in a dog's natural diet, has caused an increase in doping allegations, and forced trainers with impeccable records over 30 years to sell up and to go away embarrassed and depressed. There is no evidence to

support the banning of these substances. It is difficult to move forward if we have key people such as Madeleine Love within the greyhound industry actively scheming with upper House Greens member Dr Mehreen Faruqi to shut it down by stealth.

Former Premier Morris Iemma was charged with moving the greyhound industry forward, not running a protection racket and doing this Government's bidding. I will have much more to say over the next couple of months about this disgraceful attempt to destroy the greyhound racing industry and the steady and systematic attack on key owners and breeders. There is no doubt that the industry has been set up to fail, and we know who is doing what. The Shooters, Fishers and Farmers Party will not be shy in prosecuting and campaigning yet again for the industry, its participants, and rural communities. This is not over. [*Time expired.*]

WORKERS' RIGHTS

The Hon. ADAM SEARLE (18:25): This evening I draw the attention of the House to the issue of the working rights—or lack of working rights—of those involved in the so-called "gig" economy. The gig economy encompasses those who perform work for enterprises such as Uber, its offshoot Uber Eats, Lyft, other ridesharing platforms, and differently configured outfits such as AirTasker, Foodora, Deliveroo, and no doubt many other existing and emerging enterprises. Much has been said and written about the emerging so-called "sharing economy". The hype is that it is some hip new kind of work which is caring and worker focused and in which individuals can work the hours they choose.

Apparently, trifling issues such as work health and safety and other basic working conditions such as minimum pay do not need to be contemplated either because they are not cool or would somehow stifle the innovation in the economy represented by the advent of these kinds of new business arrangements. If we were to remove the modern technological trappings, what we would have here would be no more than the early twenty-first century version of the Hungry Mile. Unskilled workers would present themselves at the docks and the gang masters would choose who from the crowd would work that day and be able to put food on the table for their families.

It is true that the arrangements being offered by organisations such as Uber and others might work to the advantage of some workers. However, there are many others who can obtain only part-time or casual work in our economy and who cannot get enough hours pay to meet their needs and the needs of their family. They are forced to seek work on the margins of our economy and to do so outside the protective frameworks provided by the common law or by State and Federal employment and industrial legislation.

Decisions have been made by courts and tribunals in the United Kingdom and the United States, particularly in the State of New York, about whether those who work under these types or arrangements are employees because they lack the independence that is the hallmark of true independent businesspeople or would otherwise be entitled to the working conditions enjoyed by employees. The results of these different litigation processes have been varied. In some the workers have been found to be employees and entitled to employment-style rights and in others they have not.

As a civilised country, I do not believe we can let this uncertainty creep into our law. As a society, we need a framework to ensure that the exploitation we all rightly decried during debate on the Modern Slavery Bill in this place recently is not visited on our sons and daughters as they seek to enter the world of work, or does not extend to those who are forced to seek work on the margins. What might that regulation look like? During the passage of the Entertainment Industry Act, I was successful in moving an amendment that became section 20 of that legislation. It enables the Industrial Relations Commission to make such decisions as are fair and reasonable in any dispute between a performer and those who engage that performer. The union that represents musicians and other performers tells me that it has been reasonably successful.

During debate on the point to point transport bill I put forward a more sophisticated arrangement that provided for the establishment of award-like minimum employment conditions, including minimum rates of pay for point to point transport industry workers. Neither of those proposals were earth shattering or revolutionary but they would have been effective in providing those who are not independent business operators, contractors or employees with some civilised, basic and decent conditions of engagement. They are workers however they are described. They deserve a fair day's pay for a fair day's work. At present that is not guaranteed by the law of this State. That should change.

NORTH COAST AGRICULTURAL SHOWS

The Hon. BEN FRANKLIN (18:30): It is a pleasure to speak about some of the wonderful agricultural shows and show societies on the North Coast.

The Hon. Dr Peter Phelps: Are there any near Ballina?

The Hon. BEN FRANKLIN: Funny you should ask. Agricultural shows play a pivotal role in our regional communities and provide people with an opportunity to come together to celebrate their outstanding produce and local industries. They also provide an opportunity for our hardworking community members to be recognised for their continued work, particularly in the pastoral, agricultural and horticultural industries. While show season is yet to start on the North Coast, I will acknowledge the key milestones some of our show societies reached last year. In November the Bangalow Show Society held its 120th show. Each November, Bangalow Showground becomes the home, heart and soul of that wonderful community. The 2017 show was filled with classic and quirky show events. They included the Tart of the Show tart cooking competition, the Belt Buckle and Boot Cup, a rodeo musical chairs, and a shopping relay. The Belt Buckle and Boot Cup was a particular highlight.

The competition requires competitors to wear a button-up shirt, jeans and a leather belt. Competitors begin at the start line with a saddled horse. After the starting whistle, competitors run to the chairs in the middle of the ring, strip down to their underwear—or swimwear—and remove their boots and socks. They then complete an obstacle course on foot and return to their horse. While still in their underwear, they gallop the horse through a designated course before returning to replace their button-up shirts and other clothes. The competition is completed when they gallop their horse bareback to the finish line. Obviously it was a hotly contested competition and drew a significant crowd.

Competitions like that highlight the importance of local shows. Our community members work tirelessly throughout the year, often with few breaks or downtime and with minimal recognition. Shows provide a time and space when locals can kick back and—most importantly—have some fun and a laugh. I acknowledge the Bangalow Show Society for all its efforts in organising and running yet another successful show. I particularly thank President Michael O'Meara, vice-presidents Janace Hulbert, Bob Guest, Ron Chittick and Merrick Blok, and the rest of the board of directors. It is because of those community members that the show reached the incredible milestone of 120 years.

But that is not the only outstanding show on the North Coast. In September last year the Alstonville Agricultural Society held its annual Alstonville Show at which Alstonville and surrounding communities come together to celebrate their local industries. The show included woodchopping, show cattle, stud cattle and poultry exhibitions, and handicraft and cookery competitions. I acknowledge and congratulate 2017 Alstonville Showgirl Mel Chapman, who is studying agriculture and is an outstanding community leader. She is so deserving of her recognition. I also congratulate runner-up Maya Layton and all other entrants. Fifteen years ago the Alstonville Show was on the verge of coming to an end. Attendance numbers were down and competition entries were low. But, due to the hard work of the show society, the Alstonville Show is now more successful than ever. I extend my sincere thanks to the show society for making the show what it is. I particularly acknowledge President Sam Stephen, Vice-President Graham Gooding, Secretary Leah Worboys and Treasurer Keith Morrow for their extraordinarily hard work.

Last year the Mullumbimby Show Society also reached a key milestone—the 110th Mullumbimby Show. The show was held in November and kicked off with an impressive truck parade through the Mullumbimby main street. A prominent event at the show was the pie eating competition. I congratulate 2017 Mullumbimby Showgirl Amber Cordell-Mollet and entrants Tegan van den Berg, Kassandra Shaeffe and Zoe Wandell. They are all outstanding young women and are role models in our North Coast communities. I extend my sincere congratulations to the show society on ensuring the show reached its incredible milestone. I particularly thank President Mark Ward, vice-presidents Ken Ryan and John Ward, Secretary Tanja Branson, Treasurer Margaret Hatch and Assistant Treasurer Jenelle Stanford.

Those are just a few of the phenomenal shows on the North Coast. When show season kicks off later this year I will encourage everyone in the community to join in the fun. I look forward to seeing them there because I know I will be at every single one.

The DEPUTY PRESIDENT (Dr Mehreen Faruqi): The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 18:35 until Tuesday 23 May 2018 at 11:00.