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Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Seventh Parliament
First Session**

Tuesday, 4 June 2019

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LEGISLATIVE COUNCIL

Tuesday, 4 June 2019

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.

Announcements

LEGISLATIVE ASSEMBLY DIVISION BELLS

The PRESIDENT: I advise members of changes that have been made to the ringing of the Legislative Assembly division bells. Previously the Legislative Assembly bells for a division have rung for short periods with breaks throughout the four-minute division period. Now the Legislative Assembly bells will ring continuously for four minutes. The Facilities branch of the Department of Parliamentary Services is seeking to identify any parts of the building where the Legislative Assembly bells are currently not heard. This will not occur in members' offices on level 11, where the Legislative Assembly bells will not ring. The change will not affect the Legislative Council division bells, which will continue to ring for five minutes without a break.

Documents

INDEPENDENT COMMISSION AGAINST CORRUPTION

Reports

The PRESIDENT: According to the Independent Commission Against Corruption Act 1988, I table a report of the Independent Commission Against Corruption entitled *Investigation into the Conduct of New South Wales Corrective Service Officers at Lithgow Correctional Centre*, dated June 2019, received out of session and authorised to be made public on 3 June 2019.

The Hon. DON HARWIN: I move:

That the report be printed.

Motion agreed to.

TABLING OF PAPERS

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

Animal Research Act 1985—Report of the Animal Research Review Panel for year ended 30 June 2018.

I move:

That the report be printed.

Motion agreed to.

TABLED PAPERS NOT ORDERED TO BE PRINTED

The Hon. SCOTT FARLOW: According to standing order, I table a list of papers tabled and not ordered to be printed since 8 May 2019.

Committees

SELECTION OF BILLS COMMITTEE

Reports

The Hon. NATASHA MACLAREN-JONES: I table report No. 19 of the Selection of Bills Committee, dated 4 June 2019. I move:

That the report be printed.

Motion agreed to.

The Hon. NATASHA MACLAREN-JONES (14:35:1): I move according to paragraph 4 (1) of the resolution establishing the Selection of Bills Committee:

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

- (a) Crimes (Administration of Sentences) Amendment (Inmate Behaviour) Bill 2019;
- (b) Library Amendment Bill 2019;
- (c) Industrial Relations Amendment (Contracts of Carriage) Bill 2019;
- (d) Liquor Legislation Amendment (Repeal of Lock-out Laws) Bill 2019; and
- (e) Public Finance and Audit Amendment (Northern Beaches Hospital) Bill 2019.

The Hon. WALT SECORD (14:35): I make a brief contribution on the motion moved by the Government Whip, the Hon. Natasha Maclaren-Jones. I am disappointed that the Selection of Bills Committee has blocked a referral of my private member's bill—the Public Finance and Audit Amendment (Northern Beaches Hospital) Bill 2019 - to Portfolio Committee No. 2. Members would be aware that I made the second reading speech on 30 May. However, with the way the Government manages the activities of this House on Thursdays, it would probably take months before the Government finalises its response to the bill and we get a formal reply from the Minister or the Parliamentary Secretary who represents the health Minister in this Chamber. That said, I note that there is much interest—

The Hon. Niall Blair: Point of order: I suggest that the member is calling into question a resolution of this House. On Thursdays business is put to the House and agreed upon by the House. I suggest that the member is reflecting on the motion of the House in his contribution.

The Hon. Adam Searle: To the point of order: That is not the case. The member was not making any reflection on any decision of this House.

The Hon. Niall Blair: To the point of order: The Hon. Walt Secord clearly said "the way that the Government managed business on Thursday in this House" in his contribution. That decision is made by all members of this House—a motion is put to the House as to how business is managed on Thursdays.

The Hon. Adam Searle: Further to the point of order: A future decision cannot be reflected upon. There was no specific reflection on a specific decision of the House.

The PRESIDENT: Members should seek the call by standing and indicating, "Mr President". I will give them the call. It makes it easier when a number of members stand up at the same time.

The Hon. Daniel Mookhey: To the point of order: In his point of order the Hon. Niall Blair clearly said that the Hon. Walt Secord's remarks were directed at the Government, not at the House. The member is entitled to make comments directed at the Government without the House drawing any inferences on its decisions. It is clear that the Hon. Walt Secord's comments were directed at the Government. If the member has inferred that somehow that is a reflection on the House, that is the member's inference. The Hon. Walt Secord was not referring to the House.

The Hon. Catherine Cusack: To the point of order: Government management of this House is framed by the standing orders, which have been agreed to by every member. The Hon. Walt Secord is complaining about the way they operate and reflecting on an important decision of this House made at the start of the session. The point of order by the Hon. Niall Blair is excellent. It is an absolute bullseye for the purpose of this standing order of the House.

The Hon. Shaoquett Moselmane: To the point of order: The Hon. Walt Secord is debating the motion moved by the Government Whip. He is not debating decisions that have been made by the House. His comments have no relevance to Thursday's private members' day. I repeat: He is debating the motion moved by the Government Whip.

The PRESIDENT: Wide latitude is given to allow members to raise points in debates. A motion has been moved by the Government Whip, the Government Whip indicated the points of her motion and the Hon. Walt Secord is speaking to that. It may be that the Hon. Walt Secord intends to move an amendment—I do not know; that is a matter for him. I believe that all members are well aware of the rules in relation to this matter. I do not believe that the Hon. Walt Secord was debating a decision already made by the House, which is clearly not permissible. If anything, I think the Hon. Walt Secord was making assumptions of what may or may not eventuate in the future. I do not believe the member is out of order. However, I will ask him to be relevant to the motion that is before the House and to not expand on it, which is what he was doing.

The member's time has expired. It would be remiss of me not to indicate that I genuinely was not looking at the clock. Had I been aware that the member's time was going to expire, I would have been a lot shorter.

The Hon. Trevor Khan: No, no!

The PRESIDENT: Order! I call the Hon. Trevor Khan to order for the first time. Please be assured it was not done deliberately on my part. I would not do that as Chair.

The Hon. WALT SECORD (14:42): I seek leave for a two-minute extension in my speaking time.

Leave granted.

The Hon. WALT SECORD: I note that there is much interest in the Northern Beaches Hospital, which was set up through a public-private partnership. It is also the subject of major public expenditure: \$600 million upfront and a further \$2.14 billion to the private operators over the life of the hospital. The bill is simple: It would give the Auditor-General the power to conduct performance audits of the Northern Beaches Hospital. Sadly there is a cloak of secrecy surrounding the Northern Beaches Hospital.

I will now consider other options. I will test the appetite of the crossbench and my colleagues on Portfolio Committee No. 2 for a broader self-referral—perhaps a broader referral on the Northern Beaches Hospital, rather than the bill. Such a referral would invite evidence from the public, health and hospital representatives, unions, PPP experts, medical staff and taxation experts such as Michael West—who has written about the Cayman Islands' involvement in the Northern Beaches Hospital. In retrospect, I thank the Government for blocking the simple referral of the bill. I will now pursue a wider referral on the Northern Beaches Hospital. I thank the House for its consideration.

The Hon. TREVOR KHAN (14:43): The last observation by the Hon. Walt Secord does him no honour at all. The way in which the Selection of Bills Committee works has been entirely cooperative. The committee was originally established—as was discussed in the committee and as the Hon. Shaoquett Moselmane knows—to provide a mechanism principally to deal—

The Hon. Walt Secord: I provided that in good faith.

The PRESIDENT: Order! I call the Hon. Walt Secord to order for the first time. I called the Hon. Trevor Khan to order when he interjected on the Hon. Walt Secord; I called him to order for the same reason.

The Hon. TREVOR KHAN: —with government bills, to provide an opportunity to deal with issues specifically arising in those bills. What we saw today—including with the description that was given on the pro forma sheet—was that it was a clear indication that rather than this bill being referred for the purpose for which this committee was established, it was being sought to be referred for an entirely different reason. So it is all quite clear, what was said at the meeting is that there were other mechanisms by which the Hon. Walt Secord could seek to have this matter considered by a committee. In fact, it was the Government Whip who suggested to the Hon. Shaoquett Moselmane that the matter could be taken directly to a committee for consideration for a self-referral.

Mr David Shoebridge: I said that.

The Hon. Walt Secord: It was Mr David Shoebridge.

The Hon. TREVOR KHAN: It might have been Mr David Shoebridge. However, that committee meeting was held in a spirit of cooperation, as it has always been. We have not sought to block a referral; this was not the mechanism by which such a referral to a committee should be done. That was all that this was about. This was not the short, sharp sort of inquiry we have sought to use the Selection of Bills Committee for in the past. What the Hon. Walt Secord said was a complete misrepresentation of what occurred at that committee.

Mr DAVID SHOEBRIDGE (14:46): Ultimately it was a consensus discussion amongst the committee. I largely agree with the Hon. Trevor Khan's observations, except that the Selection of Bills Committee can be used for non-government bills and private members' bills where they have built up a head of steam, have broader support and you can see a path for the bill to achieve a majority in this House and go to the other place. It may be that this bill comes back to the Selection of Bills Committee at some point if it has that sort of head of steam up. The committee is about looking into bills that are on a trajectory to becoming law to examine whether we are going to improve them or not. That is the way it has been operating. There are plenty of other avenues by which we can investigate other bills or other motions. I would invite the Hon. Walt Secord to bring the matter to Portfolio Committee No. 2.

The Hon. NATASHA MACLAREN-JONES (14:47): In reply: The only thing I would like to place on the record is that it is disappointing to see those members opposite, particularly the Hon. Walt Secord, deliberately manipulating a committee process that has always operated fairly and honestly. As discussed, there are other avenues to refer bills. We saw it last week when Mr David Shoebridge did a second reading and then referred a bill to a committee. The Hon. Walt Secord noted earlier that Thursdays have been a challenge to bringing

forward bills. If he wants to debate this bill, he knows the process: he takes it to the Opposition Whip and it is put forward to be debated in its entirety this Thursday.

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

Motion agreed to.

STANDING COMMITTEE ON SOCIAL ISSUES

Reports

The Hon. SHAYNE MALLARD: I table report No. 54 of the Standing Committee on Social Issues entitled *Ageing and Disability Commissioner Bill 2019*, dated June 2019, together with transcripts of evidence, submissions, tabled documents and correspondence relating to the inquiry. I move:

That the report be printed.

Motion agreed to.

Bills

AGEING AND DISABILITY COMMISSIONER BILL 2019

First Reading

Bill read a first time and ordered to be printed on motion by the Hon. Don Harwin on behalf of the Hon. Damien Tudehope.

The Hon. DON HARWIN: I move:

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

Motion agreed to.

The Hon. DON HARWIN: I move:

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

Motion agreed to.

Documents

AUDITOR-GENERAL

Reports

The CLERK: According to the Public Finance and Audit Act 1983, I announce receipt of a Financial Audit Report of the Acting Auditor-General entitled *Universities 2018 audits*, dated May 2019, received out of session and authorised to be printed on 31 May 2019.

Announcements

LEGISLATIVE COUNCIL PHOTOGRAPH

The PRESIDENT: I inform members that during question time today an officer of the Legislative Council will take photographs that will be used in the department's publications and on social media.

Petitions

MAKARRATA COMMISSION AND TREATY

Petition stating that sovereignty over the land that forms Australia was never ceded and that dispossession of the land has had many negative impacts on Aboriginal and Torres Strait Islander people, and calling on the Government to commit to establishing a Makarrata Commission and a treaty with Aboriginal people, received from **Mr David Shoebridge**.

Business of the House

WITHDRAWAL OF BUSINESS

The Hon. DON HARWIN: I withdraw Government business notice of motion No. 1 relating to the budget estimates timetable.

Reverend the Hon. FRED NILE: I withdraw private members' business item No. 5 inside the order of precedence relating to the Mining Amendment (Compensation for Cancellation of Exploration Licence) Bill and cognate bill.

Bills

LIBRARY AMENDMENT BILL 2019

Second Reading Debate

Debate resumed from 29 May 2019.

The Hon. WALT SECORD (15:10): As the shadow Minister for the Arts I lead for Labor in debate on the Library Amendment Bill 2019. First, I thank the arts Minister and his office for their briefing on the bill. It was prompt and clear. On the basis of that briefing Labor supports the Library Amendment Bill 2019. As I have said, strong public education and public health care are great levellers in an unfair society. Another important pillar is public libraries. Indeed, without great public libraries much of the public's access to both better education and better health and wellbeing would be undercut, especially in vulnerable communities. I say that as someone who grew up on a First Nations reserve in rural Canada and who could not have made the unlikely journey from there to here without public libraries. In fact, my love of public libraries is so great that my contribution will likely be longer than the arts Minister's second reading speech. That is not a reflection on his speech. I ask members to hear me with patience. I speak as someone with experience of being a bicultural child on the Mississaugas of the New Credit First Nation reserve in southern Canada.

I would not be standing here if not for free education, universal health care and, of course, great public libraries. They are a gateway to education and to a wider world of knowledge, thinking and possibilities. In the 1970s I used to ride my bicycle down gravel roads to the nearby town of Hagersville to use the public library. I remember that when it seemed that I had devoured all that Hagersville library could offer, my reading world expanded greatly as I discovered inter-library loans. The great inter-library loan is the gateway to an infinitely expanding universe of literature and material. I am sure that everyone in the Chamber has similar experiences from their youth. It was wonderful for me but challenging for the two rural librarians who had to make trunk calls to other libraries to satisfy my many requests. My local library transported me from a Canadian First Nations reserve to the outside world and unexplored possibilities. The fact that I am the first member of my family to complete high school, go to university, fly on a plane and address a Parliament owes much to a tiny country library in southern Canada, but I digress.

On 29 May 2019 arts Minister Hon. Don Harwin introduced the Library Amendment Bill 2019. The bill upgrades and modernises legal deposit requirements in New South Wales. The bill is not controversial but is very important for historical and data collection purposes. Regulation and laws relating to legal deposit requirements and public libraries have existed in New South Wales since the late 1870s. At that time many countries and political jurisdictions around the world introduced similar legislation. There is a legal requirement in New South Wales that all books are to be submitted to legal deposit libraries in New South Wales. Those libraries are the State Library of New South Wales, the Parliamentary Library and the University of Sydney Library. As the Minister said in his second reading speech, those libraries are amongst the first and finest in this State and nation. Those institutions are entrusted with the important role of collecting the documentary heritage of the people and communities of our diverse State and preserving it for future generations through the legal deposit scheme.

Part of that important role is the legal requirement to keep any newspaper, pamphlet, sheet music, map, chart or plan that has been lodged with those libraries. That ensures that there is an automatic archive of publications for future generations and future researchers. To modernise the process this bill will allow for electronic publications to be stored at those deposits. Currently there are no requirements in either the Copyright Act 1879 or the Library Act 1939 for the legal deposit of electronic publications. That means that publishers of digital or electronic material in New South Wales are not required to deposit that material to the legal deposit libraries. As a result, the legal deposit collection of legal deposit libraries is fragmented and incomplete as electronic publications have become very commonplace.

In the digital age it is well past time to address that, which is what the bill does by bringing New South Wales into line with other States, Territories and overseas jurisdictions. The bill carries penalties and a failure to comply with a legal deposit order of a maximum of 10 penalty units, the current equivalent of \$1,100. However, I recognise that it would be very unlikely for any State government—current or future—to use those measures against the community unless absolutely necessary. I work on the assumption that they are very much reserve powers and that there would be appropriate correspondence before any action was taken. I ask that the Minister clarify that in his reply.

On the subject of libraries and enforcement, during my university days in Canada a friend of mine fell foul of the Canadian authorities on a similar matter. Back then we fancied ourselves as poets and writers—I stress to members that that fancy is long gone. My friend, a budding poet, received a letter from the National Library of Canada advising him that copies of his self-published poetry magazine, which he sold on campus from his university residence room, were required to be lodged at the national archives or he would face a penalty. Admittedly, we were shocked—and we became aware of our responsibilities as publishers. Immediately we sought free legal advice and complied. Perhaps that is why I am well aware of the responsibilities and importance of lodging materials in our State and national depositories, but again I digress.

The Library Amendment Bill 2019 will make it clear that legal deposit libraries can identify and collect any material that the head librarian or their delegate of each library considers to be relevant, either by collecting the materials made freely available by the publishers of the material or by making an order in writing to a person who publishes material in New South Wales to deliver a copy of the material to the library or make it available for copy. Under the bill the proposed reforms are: first, the bill will continue to require the delivery of book material to legal deposit libraries under the requirements of the Copyright Act 1879 through savings and transitional arrangements; and, secondly, the bill extends the requirements of the Copyright Act 1879 to ensure that the collection and maintenance of publications, including electronic publications, can be undertaken by the legal deposit libraries.

I now turn to the substantive elements of the bill. Schedule 1 to the bill inserts new part 3A into the Library Act 1939 and sets out the new functions of the legal deposit libraries. New section 14A defines a legal deposit library to mean the State Library, the Parliamentary Library and the Library of the University of Sydney. New section 14A also defines "library material" to include electronic publications. New section 14B makes it clear that the legal deposit libraries can identify, collect and maintain relevant library material. Relevant library material is defined in new section 14A to mean, "Library material relevant to the collection of the library". The bill then sets out two new ways in which the legal deposit libraries can identify and collect library material.

The first method is contained in new section 14C, which authorises the head librarian of a legal deposit library to direct a person who publishes library material in New South Wales to deliver a copy of the material to the library or to make the material available for copying through a legal deposit order made in writing. A legal deposit order may apply to specific library material or, more broadly, to a class of library material. It can be of unlimited duration and may capture library material published in the past or library material not yet in existence at the time the order is made. The broad nature of a legal deposit order will mean that it only needs to be served once on a publisher in New South Wales to ensure that all material that is already published or that will be published in the future is deposited and archived for future generations.

New section 14D sets out the second method for the collection of library material. It will mean that the head librarian of a legal deposit library may collect free-of-charge relevant library material for inclusion in the legal deposit if the material has been made freely available to members of the public by the publisher of the material. Having that function set out clearly in legislation is important, especially considering the vast amount of material being published online or through other digital formats. To improve efficiency in collecting library material, new section 14E allows the head librarian of a legal deposit library to delegate the exercise of the collection functions to any member of staff of the library. New section 14F sets out how documents, including legal deposit orders, are required to be served on New South Wales publishers—whether they are individuals or corporations. The bill repeals the Copyright Act 1879 and sets out savings and transitional provisions in schedule 2 that are consequential on that repeal. The provisions of the Copyright Act 1879 requiring the legal deposit of print "books" are kept in force unless a legal deposit order is made later in respect of those materials.

As the Minister said—and I concur—the Library Amendment Bill will bring the legislation regarding the legal deposit of publications into the twenty-first century. While most in the community understand the public information service of our libraries and love them accordingly, the bill relates to one great function of libraries: being the memory of our nation and its communities. The importance of that role is often understated, but it should not be. After all, a society's memory is vital to its function and development. One must celebrate the vital role of our libraries as the archives of our communities and culture.

The archival provisions of our libraries are one of the pillars on which they build their incredible research capability, which supports all manner of community inquiry—from a high doctoral thesis to a local resident wanting to know the origin of the name of their street. That goes to one of the great differences between libraries and other sources of information in our age: the power of expertise and interpretation. Yes, anything can be looked up at the click of a button, but that excess of information makes experienced navigators all the more valuable. That is what libraries remain, and anyone who has worked with the skilled staff of our public libraries will know that the power of our libraries to cut through the noise of information and find quality sources of knowledge is

invaluable. I am sure members would agree that our own Parliamentary Library staff do excellent work in that regard.

I am pleased to support the bill and I will advocate for a strong libraries policy as we approach the 2023 State election. NSW Labor believes that libraries are the hearts of our communities. They help to promote lifelong learning, they provide free access to information and they are vital community hubs at which people meet and engage. NSW Labor has a long and proud heritage in this space. In 1943, as World War II raged, then Premier Bill McKell proclaimed the financial provisions at the opening of the new Public Library of New South Wales, which was built to set up our State's fine library system. Now, 76 years later, there are 368 public libraries in New South Wales and 20 mobile libraries for isolated and remote communities dotted across the State. In fact, my colleague the Hon. Peter Primrose, who is Labor's spokesperson on local government, is carrying on that tradition. He has been at the forefront of the campaign to highlight the importance of libraries to our communities. During the 2019 State election campaign he was relentless in his efforts to remind the State Government and the Labor Opposition of the importance of public libraries to our communities—especially in rural and regional areas.

I cite the work of the Deputy Lord Mayor of Sydney City Council, Councillor Linda Scott, who is also president of Local Government NSW. To show that I am not totally partisan, I also pay tribute to former Deputy Premier and The Nationals leader, the Hon. George Souris. Currently, Mr Souris is president of the Library Council of New South Wales, which is the governing body of the State Library. The council's responsibilities include the promotion, provision and maintenance of library and information services for the people of New South Wales. It also advises the Minister and local authorities on matters of policy and administration relating to library services. The nine members of the council are members of the public, nominated by the State government and appointed for a three-year term by the Governor.

It will probably shock my Labor colleagues, but if the March 2019 State election had gone in a different direction and I had enjoyed the honour of being arts Minister, I would have kept Mr Souris in the position. He and his wife, Vassy, are true patrons of the arts. Mr Souris is a staunch defender of libraries and their collections. His enthusiasm for and commitment to libraries are boundless. He was appointed in May 2016 by then arts Minister Troy Grant—replacing another conservative former parliamentarian, Andrew Tink. Their commitment to libraries is also deep and sincere. I commend them for that and I commend the bill to the Chamber. I thank the House for its consideration.

Ms CATE FAEHRMANN (15:25): I speak on behalf of The Greens in support of the Library Amendment Bill 2019. The bill will increase the scope of the legal deposit library scheme so that as well as capturing all written publications in New South Wales, it will also be able to capture all electronic publications. Given that so many publications now are electronic or online, the bill will ensure that the three legal deposit libraries of New South Wales—the State Library, our wonderful Parliamentary Library and the University of Sydney Library—are able to continue their role of ensuring that a comprehensive collection of published material of interest to New South Wales is preserved for the community and future generations. The bill will also bring New South Wales into line with all other States and Territories.

New South Wales libraries play a vital role in our society and our communities. There are 450 libraries run by local councils and they service more than 34.8 million people per year. Libraries serve as important community hubs—particularly in rural and regional parts of the State, where they are a source of information and provide vital services to community groups such as local history clubs, sports and social clubs and local non-profit and volunteer groups. Public libraries have a role in keeping residents informed and involved in community affairs and provide access to community information and links to other agencies and services. They provide essential information about participating in public life, such as providing information and support on elections—including assisting the public with voter registration. They also provide information on the business and activities of local councils. Tumut Library, for example, provides access to gallery-equivalent hanging space for local artists and support for local research groups, such as the Tumut Family History Group, and sporting groups. Batlow Library provides support for the Batlow Literary Institute and a number of local festivals. Tumbarumba Library provides archival storage services for historical information.

Public libraries play a vital role in our communities, but despite this the Government continues to short-change libraries across New South Wales. In 1980, 23.7 per cent of library funding was provided by the State Government; in 2019 that has dropped to 7.5 per cent. This Government gives the lowest amount of public funding to libraries of any State government in the country. New South Wales councils paid 12 times more than this State Government to provide library services for our communities. In the 2015-2016 budget, State government funding for public libraries was only \$26.5 million, compared with a contribution of \$341.1 million from local government. Prior to the 2018-2019 budget, the Library Council of NSW, in consultation with the State Library and the NSW Public Libraries Consultative Committee, recommended an increase in public library funding to \$30 million. Despite this, in last year's budget the Government cut public library funding by 18 per cent, from

\$28.8 million to \$23.5 million. However, a looming election can do marvellous things for the funding needs of community organisations and essential public services, as can a well-organised community campaign.

Renew Our Libraries is one such campaign and is calling for a sustainable funding model that would allow libraries to continue to provide their essential community services for decades to come. It called for government funding to increase by \$94 million over four years and to tie it to the consumer price index. It also asked that any increase in library funding be protected by legislation that would lock in these arrangements and protect future funding. It is a pity that this is not the bill before us today.

The Renew Our Libraries campaign has been endorsed by 87 per cent of local councils and more than 12,000 local library supporters in New South Wales, and The Greens are calling on the Government to follow its recommendations and ensure the long-term viability and sustainable funding investment for public libraries in New South Wales. As a result of the campaign—and, no doubt, the impending election earlier this year—libraries have been promised an additional \$60 million over the next four years. However, this is still a fraction of the costs being shouldered by local councils and not enough to reverse years of chronic underfunding. However, I return to the bill before the House. The bill allows for legal deposit libraries to be updated and modernised. Bringing anything into the twenty-first century is a good thing. What a pity the Government is still stuck in the nineteenth century when it comes to climate laws and environment laws in this place. Nevertheless, The Greens support the bill.

The Hon. DON HARWIN (Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, and Vice-President of the Executive Council) (15:30): In reply: I thank both members for their contributions. I particularly thank the Hon. Walt Secord. It is probably the nicest speech he has ever given which referred to me. As we have heard, the bill will bring legal deposit into the twenty-first century by providing a mechanism for the legal deposit of electronic publications. It will align with the National edeposit scheme and with legal deposit legislation in other States and Territories. That is important. At the same time, the bill will also continue to provide for the legal deposit of books and other printed publications in New South Wales.

The Hon. Walt Secord raised some points in his contribution to the second reading debate. I will do my best to respond to them. I am advised of the following. Penalty units in legal deposit orders are very unlikely to be used. The imposition of penalties is a mechanism of last resort. If a publisher does not comply with the first legal deposit order, a further legal deposit order may be made in relation to the material. This is clarified in new section 14C (8) of the bill. Ms Cate Faehrmann made some comments about library funding. I think it is appropriate that I supplement her comments by mentioning a few other matters.

The Government has announced an extra \$60 million in funding over four years from July 2019 to transform New South Wales public libraries across the State. Every one of New South Wales' more than 370 public libraries will benefit from the new investment, ensuring that they remain at the heart of every community. This historic funding reaffirms our Government's commitment to literacy, lifelong learning, connectivity and community wellbeing through public libraries. The honourable member might be interested to know that this November will be the eightieth anniversary of the Library Act 1939. It has been a very important means of achieving the objectives that I just mentioned. The Act is a significant statement by the State Government, which encourages local councils to open and operate public libraries for local communities with assistance through the State Library of New South Wales.

Let me make a couple of important points about the additional \$60 million funding. All councils will receive an increase in annual per capita library funding of 54 per cent by 2022-23. A new \$24 million infrastructure grants program over four years will be rolled out for public libraries, with the first year of funding to commence in 2019-20. This funding also includes a \$1 million investment to support more Service NSW self-serve kiosks at public libraries, which are proving very popular. I am pleased to advise that in 2018-19, the year Ms Faehrmann referred to, \$10.4 million was committed for infrastructure programs at 11 public libraries outside of Newcastle, Sydney and Wollongong through the Regional Cultural Fund. In 2018-19, the Government also provided \$1 million for capital works at 14 metropolitan libraries in New South Wales through funding administered by the State Library. So it is not correct to make the observations the member made about 2018-19 funding without also taking those substantial expenditures into consideration.

Finally, I note that, in an important new service, the Government will provide \$500,000 per annum to support Vision Australia's library service from 2019-20. The funding will be administered by the State Library of New South Wales. The Library Amendment Bill will go a long way to ensuring that the documentary heritage of this State is collected and maintained for future generations. It will support the important work of the State Library of New South Wales, our Parliamentary Library and the library at the University of Sydney. It is my great pleasure to commend the bill to the House.

The DEPUTY PRESIDENT (The Hon. Shayne Mallard): 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.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. DON HARWIN: On behalf of the Hon. Sarah Mitchell: I move:

That Government business notice of motion No. 2 be postponed until a later hour.

Motion agreed to.

Governor

ADDRESS-IN-REPLY

Debate resumed from 29 May 2019.

The Hon. NIALL BLAIR (15:37): It gives me great pleasure to pick up where I left off last week in my impromptu contribution to the address-in-reply debate. I apologise to Hansard because today, once again, I will not be using notes. I am sure the Hansard staff will be able to keep up and adequately record my contribution to this address-in-reply debate on Her Excellency's speech at the opening of Parliament. In relation to some of the objectives that the Government has set out, which were mentioned by Her Excellency, one area that I want to talk about is the issue of drought, particularly the lack of water that is being experienced across most of New South Wales at the moment.

I want to address some of the issues that arose during the election campaign, when I was the Minister with responsibility for primary industries and for regional water. We have plenty of time—this afternoon and, if need be, again tomorrow—to address some of the issues that were raised. More importantly, I will endeavour to set the record straight in terms of some of the misinformation that was presented and perhaps address some of the inaccuracies and accusations that were levelled at the Government, at some of my agencies at that time and at me personally as the Minister responsible.

Throughout the election campaign some ridiculous statements were made. Since the election some people have also made ridiculous statements, even people on my own side of politics, suggesting that my management of some of these issues is why we lost the seats of Murray and Barwon. I will deal with some of the issues and the ridiculous media reporting that occurred during that time as well. In doing so at no stage do I lose sight of the plight of our farmers and regional communities. There are some things that I will address, but it is not to diminish the challenge that they are going through or the efforts of those who have been advocating on behalf of their industries or their communities. I do so to highlight the damage caused by some of the ridiculous statements that have been made during this debate to regional New South Wales and some of those communities that rely upon farming and irrigation for their existence.

The drought brought a lot of those issues into the spotlight. In 2015 when I became Minister for Primary Industries and then Minister for Lands and Water, my first trip as a Minister was to Walgett because that community was experiencing drought. I had many opportunities to go to Walgett—unfortunately not during times of abundance but during times of water scarcity. The communities in the north-west of New South Wales have been in drought for at least six or seven years. The resilience of those people is to be commended. Standing on the dry beds of Menindee Lakes debating how we were going to source a water supply for the community of Broken Hill was not something that just popped up in the 2019 election campaign; it was being considered in 2015. Many in this House who were here at the time will be aware of the debate about whether the community of Broken Hill should have its water supply sourced from deep bores at Menindee and then piped to Broken Hill or whether there was a better long-term solution to be implemented for that community.

Fast forward to the 2019 election campaign. In the lead-up to the election a decision had to be made as to the long-term water supply option for Broken Hill. Even though in 2016 there were some water inflows into Menindee Lakes, in 2015 we knew that if we continued down the same path and did not put some decisions in place then that community would continue to suffer with issues of water insecurity. The Government made the

decision at the time to construct the Murray to Broken Hill pipeline. The pipeline was completed and the first water was turned on during the election campaign. It was a contentious project and many people have views as to how and why that decision was made, and although large parts of New South Wales are on severe water restrictions, the community of Broken Hill has a secure water supply.

Now the Broken Hill community does not need to worry about how to suppress the lead dust in some parts of the community because of a lack of water. It does not need to face the prospect of what happens when the water supply at Menindee finally runs out. It does not need to worry about how reliably the 110-kilometre pipeline from Menindee to Broken Hill—which was at the end of its life—is going to continue to serve the community, particularly during the summer months. That decision had been made. As I was the Minister responsible, I am happy that we made that decision at the time. As the dry continues and there are record low inflows in northern New South Wales and southern Queensland, the issue of water supply for the Broken Hill community has been put to bed for the time being.

There were also questions about water management and accusations of water mismanagement, particularly after the fish deaths in the Darling River at Menindee. As a side note, on the list of towns that are on water restrictions across New South Wales, Menindee is only on level one water restrictions. A lot of people are very confused about what we saw during the election campaign—the images of the dead fish, the poor water quality in the Darling River and the township of Menindee being brought into the spotlight, so why is it only on level one water restrictions? The simple answer is that Menindee's water supply does not come out of the river; it comes out of Copi Hollow. When the water source at Copi Hollow has been exhausted, the supply switches to bore water and goes through its own water treatment plant, which is just about to be upgraded. Measures have been put in place to upgrade the water filtration plant. There have been plenty of media reports and images of people using bottled water to bathe kids et cetera but that is not the water supply that supplies the township of Menindee. Some individuals may take their water supply off the Darling River and rely upon that water or rainwater, but that is something that became a little muddled during some of the media campaigns in the earlier part of this year.

It would be remiss of me not to talk more about the way that water has been managed in this State. In a moment I will address some of the issues surrounding the fish kills in the western part of the State as well. The reason some drought-stricken communities have water at the moment is solely due to water management. Many people want to use the term "water management" as a negative term—and I understand that people want to talk about water mismanagement—but the way that we have stored the rainfall events of 2016-17 in some of our dams and the way that the water has then been managed is the only reason some communities have been able to get through this far without decent inflows. Anyone who wants to question inflows needs only look at the data that clearly illustrates that since 2016-17—particularly through most of 2018 and 2019—there have been record low inflow events in the rivers and upper catchments throughout Queensland and northern New South Wales. That has directly led to some communities facing severe water shortages. It has also led to some communities being put under severe stress and pressure regarding the management of their water.

I mentioned Walgett earlier. I have visited Walgett at least three times since Christmas 2018, particularly during the election campaign. There was a debate about water and the water supply for the township of Walgett. Again the issue was more around water quality rather than water availability because the Walgett community has a dual system for its water supply. The community can take water out of the river. More often than not that is used to water gardens and for the amenities in the town. But some years ago Walgett's main drinking water supply was switched over to bore water. The community has had to adjust because many people were used to drinking either rainwater or water that had originally come out of the river and been treated. As the river had ceased to flow and the supply was switched to bore water, the only reason Walgett was able to have a water supply was the Government's decision to fund the drilling of water bores for that community.

Throughout the campaign people were arriving in Walgett with truckloads of bottled water, thinking they were doing the right thing, but they were creating a challenge for those other communities that have no choice other than to survive off bore water. There are many communities across New South Wales that are thankful they have bores and that they can rely upon a decent yield to ensure that their communities continue to prosper. It was suggested that the Government and the council, the local water utility, were leaving the people out to dry because Walgett was running out of water. There were pictures of the dry creek bed—a creek that had flowed only after authorities released water that had been captured throughout 2016 and 2017 from the storage dams. There was continuing debate about why this community was not being supported because there was a perception that it was running out of water. Coonabarabran was on severe water restrictions because the Timor Dam had run extremely low due to lack of rainfall. Once again the Government was able to assist by providing funding for emergency bores to ensure that the community could continue to operate, although on severe water restrictions.

Members are aware of the images of the mass fish kills in the Darling River, predominantly in early January and later, although there was a fish kill in December that went relatively unreported in comparison. All eyes then were on the water quality and the lack of water that led to the fish kills in western New South Wales. At the time of the mass fish kill I was actually fishing while I was on leave with my family. As I saw the images come through I came back to Sydney early and had a conversation with my staff because I felt it was important to see firsthand what was starting to look like a severe issue. I am glad my staff and I made that decision to attend as quickly as we did.

I was the first elected official in any capacity to arrive to witness this issue firsthand. Others turned up to try to make a media spectacle out of it and unfortunately some others did not turn up. There are plenty of people who should have turned up as the health of our rivers and fish stocks is directly relevant to their jobs, but they squibbed it. I am glad I turned up rather than being labelled as someone who did not turn up because I preferred to take the heat for those who did not have the guts to turn up or were not interested in what was happening in western New South Wales. I was the first to turn up following both of those big fish kills. I was not there to seek any sort of media attention; rather, I was trying to understand the issues so I could support my fisheries officers who were in a difficult situation having to deal with this and were also concerned about the stock and the health of the fish. I also visited to see what we could do to try to stop this from happening again.

We all know the issue attracted lots of attention. My office's communications director at the time coined the phrase, "If it bleeds, it leads." This was graphic. This was a mass of dead fish. It created a spectacular visual—something that no-one wanted to see. But words and vision did not do justice to the stench of dead fish and the heat I felt when standing on the bank of the Darling River. Words cannot replace the feelings, the conversations, the frustration, the anger and the tears that were expressed to me by the locals who rely upon that river for their quality and way of life, particularly the Aboriginal community in western New South Wales.

It is hard for people in a city like Sydney, who can duck down to the supermarket or the butcher every day of the week to get their main source of protein, to acknowledge that many of the Aboriginal community around the Darling River rely upon that river for their main source of protein. They go fishing; they do not go to the supermarket or duck into town to go to the butchers. They are heavily reliant upon that river not only for their water but also for their main source of protein. It was important that a community feeling that pain was shown the respect of having people turn up—not when the clean-up was finished and not when the angst had gone but when it needed someone to help it make decisions to address the issue that was unfolding. I am thankful that the Government was able to assist the council with the clean-ups. It was clear from the first few minutes I was there that the council was not equipped, particularly with boats, to carry out such a clean-up. Through the Department of Primary Industries [DPI] the Government was able to contact private contractors such as Charlie Carp that had the equipment required to get on the river and begin to remove the fish from the water.

A lot of the clean-up does occur naturally—the birds were having a field day and a lot of the carcasses made their way to the bottom of the river—but it was important for that community that the Government did as much as possible with the clean-up. The Government also received great support from the NSW Environment Protection Agency to allow the removed fish to be put into landfill. We will never know the exact number of fish that were killed. A lot were very small fish but unfortunately a lot of large mature cod and yellowbelly were lost during this event. There was a lot of conjecture at the time that those were 100-year-old fish. That has been put to bed to a degree by our DPI fisheries officers. Those large deceased fish were collected and their ear bones dissected to determine their age at our laboratories in areas such as Narrandera. Fish have growth rings in the same way as trees. Not only can our scientists tell how old a fish is; they can also tell when it has spawned and when there have been large flood events in rivers, and they can match where those fish lived.

Time is getting away from me. I have plenty more to say about events that occurred during the election campaign. I have not had the chance to address some of the wild accusations that were made about what my responsibilities were as Minister. I will give myself plenty of time when I contribute again to this debate because I am only just getting warmed up. I am not trying to be self-indulgent but there are important matters that need to be put on the record. I will take a breath and gather my thoughts. I look forward to contributing when this debate comes back before the House.

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

Questions Without Notice

PERSONAL INFORMATION SECURITY

The Hon. ADAM SEARLE (16:00): I direct my question to the Leader of the Government, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts. Given the unauthorised dissemination of the private and personal information of hundreds of motorists, what steps have the Minister and

the Government taken to ensure that all ministerial staff and public servants appropriately handle personal information?

The Hon. DON HARWIN (Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, and Vice-President of the Executive Council) (16:01): I thank the Hon. Adam Searle for his question. I note in his question he made particular reference to ministerial staff or all staff.

The Hon. Adam Searle: Ministerial staff and public servants.

The Hon. DON HARWIN: In that respect, I do not have responsibility for the Members of Parliament Staff Act 2013. That is exclusively within the jurisdiction of the Premier. I will take that aspect of his question on notice so that I can refer it—

[Interruption]

The PRESIDENT: I ask members to turn off their phones.

The Hon. DON HARWIN: I apologise if I have lost my train of thought. As I was saying, I will take the question on notice and obtain an answer to those aspects that I am definitely not responsible for. It is best that I provide a comprehensive answer to the question.

MABO DAY

The Hon. WES FANG (16:02): I address my question to the Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts. Will the Minister update the House on commemorating Mabo Day?

The Hon. DON HARWIN (Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, and Vice-President of the Executive Council) (16:02): I thank the Hon. Wesley Fang for the question and for the opportunity to acknowledge this important day. It has been 27 years since the landmark 1992 High Court Mabo decision, adding an important chapter to the nation's history. When the British came to Australia they called the land "terra nullius", meaning land belonging to no-one. Up until the Mabo decision Australian land laws were established on the claim that Australia was terra nullius. Eddie Mabo, a Torres Strait Islander, led a fight for over a decade which ultimately forced land laws to recognise connection and traditional ownership by Aboriginal and Torres Strait Islander peoples.

On 20 May 1982 Eddie Mabo and four other Meriam men began their legal claim for ownership of their traditional lands on Mer island in the Torres Strait. The men claimed the Meriam people had continuously inhabited and exclusively possessed these lands, living in permanent, settled communities. On 3 June 1992 the High Court upheld the claim and ruled that the lands of this continent were not terra nullius—or land belonging to no-one—when European settlement occurred. The Mabo decision was a turning point for the recognition of Aboriginal and Torres Strait Islander peoples' rights, acknowledging their longstanding and unique connection with their lands and waters over tens of thousands of years. The Mabo decision has been an inspiration for Indigenous peoples internationally and a platform to secure native title rights and interests over lands and seas. The decision led to native title legislation, which recognises the long-held traditional laws and customs of Australia's Aboriginal and Torres Strait Islander peoples.

In New South Wales the Aboriginal Land Rights Act 1983 recognises the traditional ownership and occupation of the land by Aboriginal people and the importance of their connection to land. The Act recognises the spiritual, social, cultural and economic importance of land to the State's Aboriginal people. Under the Act, which I am now responsible for, Aboriginal land councils in New South Wales can claim land as compensation for historic dispossession of land and to support Aboriginal communities' social and economic development aspirations. The Act also acknowledges that decisions of past governments have progressively reduced the lands set aside for Aboriginal people without compensation. I look forward to working with all stakeholders across this State, including the New South Wales Aboriginal Land Council, to discuss opportunities to leverage better outcomes for Aboriginal people in New South Wales.

PERSONAL INFORMATION SECURITY

The Hon. WALT SECORD (16:05): I direct my question to the Leader of the Government, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts. Given the Premier admitted that her office had been briefed by the Liberal Party campaign before the publication of personal information involving driving records, what knowledge and involvement did the Minister or his office have with the release of this information?

The Hon. DON HARWIN (Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, and Vice-President of the Executive Council) (16:05): No knowledge and no involvement.

FARM ANIMAL ANTIMICROBIAL RESISTANCE

The Hon. EMMA HURST (16:06): I direct my question to the Minister representing the Minister for Health and Medical Research. A report to the United Nations in April entitled *No Time To Wait: Securing the future from drug-resistant infections* has found alarming levels of antimicrobial resistance with the result that common diseases in humans are becoming untreatable. The report found the routine use of antimicrobials as growth promotants and to prevent disease in intensively farmed animals is contributing to the resistance. What is the New South Wales Government doing to reduce the excessive use of antimicrobials on farmed animals?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (16:06): I thank the honourable member for her question and acknowledge her strong representation in this area. As a nurse for 20 years in the public health system, I know how important those medications are to ensure good health and good futures. They have certainly changed the landscape. As the question contains detail I will refer it to the Minister for Health in the other place for a detailed response.

PUBLIC SCHOOLS

The Hon. TAYLOR MARTIN (16:07): I address my question to the Minister for Education and Early Childhood Learning. How is the Government improving performance in New South Wales public schools?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:07): I thank the honourable member for his question. This Government is committed to ensuring that students in public schools across the State feel supported and empowered to be the best learners they can be. This morning, alongside the Premier, I announced three important new initiatives aimed at strengthening the system and lifting performance across schools. We know that the world's best education systems have clear benchmarks for their schools to meet. This is something that these initiatives seek to do.

Firstly, the Government announced the new High Potential and Gifted Education Policy, which will identify students in public schools who will benefit from being challenged in areas where they show talent and potential. We know there are gifted and high-potential students in every public school. Under this new program these students will have access to a personalised learning approach matched to their ability and will also have the chance to learn above their age bracket. The new policy is the result of broad consultation with students, parents, teachers, school leaders and experts in the field. It will be rolled out in all schools by 2021.

Today the Government has announced that the Bump It Up program will be rolled out in every New South Wales public school by 2020. For members who may not be familiar with Bump It Up, the program was implemented in 2016 in 137 schools across the State that were identified as having large proportions of students with room for improvement. The original program gave schools targeted goals for improvement in literacy and numeracy. Given the success of this program—with more than a quarter of the 137 schools achieving all of their targets in the first year alone—the Liberal-Nationals Government has taken it to the next level and will be rolling out the program to every public school in New South Wales. But Bump it Up is no longer looking solely at numeracy and literacy. In addition, Bump it Up will be setting school targets for attendance, wellbeing and equity. This will ensure schools across the State are working towards improved student outcomes with targets developed in consultation with school leadership.

To wrap up these two exciting initiatives, the Premier and I announced today that we will be building a new selective school in south-west Sydney. Recently I met a student from Penrith High School named Soham Desai, who travels from Baulkham Hills to Penrith every day to attend his selective high school. That is an hour and a half of travel every day for Soham. Penrith High School is the closest selective school option for him. Soham is thriving at Penrith High School. He is school captain this year and wants to become a physiotherapist.

There is a high demand for selective schools in New South Wales, with around 15,000 applications for only 4,200 available places. As the Minister for Education and Early Childhood Learning, I want every child to have a positive experience at school. I am thrilled with today's announcement and, as Minister, to be leading the preparation of our young people for rewarding lives, successful careers and fulfilling ventures. I send a special thank you to the staff at Alexandria Park Community School for hosting our visit today. [*Time expired.*]

MINISTERIAL STAFF SEVERANCE

The Hon. PENNY SHARPE (16:10): My question is directed to the Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, and Leader of the

Government. Given the departure of ministerial staffer Tom Green, what was the total severance payment he received?

The Hon. DON HARWIN (Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, and Vice-President of the Executive Council) (16:11): I will be delighted to take that question on notice. If available, I will obtain a response for the Hon. Penny Sharpe. As members would appreciate, it is not information that I have lying around in my House folder. With those few words, I will get back to the Hon. Penny Sharpe when an answer is available.

EATING DISORDERS

The Hon. SHAYNE MALLARD (16:11): My question is addressed to the Minister for Mental Health, Regional Youth and Women. Will the Minister update the House on how the Government is supporting people with eating disorders?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (16:12): I thank the Hon. Shayne Mallard for his question. This is a timely question, as World Eating Disorders Day was held last Sunday across the globe. This day is a grassroots movement designed for and by people affected by eating disorders. World Eating Disorders Day reminds us that eating disorders can affect people from all age groups, genders and cultural backgrounds. Eating disorders are serious and potentially life-threatening mental illnesses, with some of the highest death rates of any mental illness.

In 2018-19 over \$5 million of State funding has already been invested in specialist eating disorder services and supports across New South Wales. The support this Government shows to those affected by eating disorders can be demonstrated by the funding boost of an additional \$9.6 million over the next four years, which is an increase of \$2.4 million per annum. We are pleased that the Federal Coalition has also pledged \$5 million to address eating disorders. This says that we as a society and as governments are listening to the needs of people and their loved ones who have eating disorders.

The InsideOut Institute provides eating disorder education and training for health professionals and embeds eating disorder treatment models in local health districts and specialty networks. This Government is increasing the InsideOut Institute's staff numbers from 1.4 full-time equivalent positions to nine to ensure more access to help for those who need it most. Further, we will ensure that every local health district across New South Wales has a full-time eating disorder coordinator, with the exception of the Far West Local Health District, which will employ a part-time coordinator to reflect the need in that area. This means that from July every community will be able to employ a coordinator to assist those in need. This is a great announcement.

The eating disorder services and programs include three adult day programs providing intensive community treatment options at Westmead Hospital and Royal Prince Alfred Hospital in Sydney, and James Fletcher Hospital in Newcastle; a statewide day program for children and adolescents at the Butterfly Foundation, offering comprehensive multidisciplinary care; adult tertiary eating disorder beds—nine beds at the Marie Bashir unit at Royal Prince Alfred Hospital and up to three beds at Westmead Hospital; and for children and adolescents up to eight tertiary beds at Westmead Children's Hospital.

The Ministry of Health is working with key partners, including the InsideOut Institute for eating disorders, local health districts and medical leaders, to implement phase two of the eating disorders plan, which commences in July this year. Funding of \$2.4 million per annum will support the implementation of phase two. Eating disorders are complex illnesses. Often they are associated with high service usage and treatment costs. They require mental health and medical services to work closely together. The prevention and treatment of eating disorders is a priority for me as the Minister for Mental Health, Regional Youth and Women. [*Time expired.*]

STUDENT LITERACY

The Hon. MARK LATHAM (16:15): My question is directed to the Minister for Education and Early Childhood Learning. Is the Minister aware that in the Programme for International Student Assessment [PISA] testing for 15-year-olds, more than 40 per cent of New South Wales students failed to reach the proficiency benchmark standard in literacy, ranking our State behind South Australia, Victoria, Western Australia and even Queensland? Is the Minister also aware that the Grattan Institute's 2018 report on NAPLAN results across years 3 and 5 ranks New South Wales below the national average in the basic literacy skills of reading and writing? Given the urgent need to reverse declining literacy results in our State, should we not start by introducing the year 1 phonics check, which has enjoyed bipartisan Liberal and Labor support in South Australia and is already achieving positive results in that State?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:16): I thank the Hon. Mark Latham for his question. Literacy and numeracy are the building blocks of a good education.

Evidence shows that the early years matter most because they lay the foundations for future learning. The Hon. Mark Latham referred to a number of different reports and results in his question. Specifically towards the end of his question he referred to phonics. I am pleased to say that the explicit instruction of phonics is supported by our Government.

The Government is aware of the growing base of evidence suggesting that explicit phonics instruction in the early years of schooling has a positive impact on literacy outcomes. That is why the Liberal-Nationals Government is providing teachers across New South Wales with training in synthetic phonics instruction. I am delighted to inform the member that more than 2,000 teachers took part in effective reading professional development last year. I also inform the House that every school that took part in this program received funding for new phonics resources in their classrooms. In addition, last year the Government added an extra 50 literacy and numeracy strategy advisers who provide direct support to schools in the effective teaching of literacy and numeracy through the curriculum.

[An Opposition member interjected.]

The Hon. Trevor Khan: Point of order: My point of order relates to the interjections by the Hon. John Graham. I again observe that he seems to be taking on the persona of the Hon. Lynda Voltz.

The Hon. John Graham: To the point of order: If the Hon. Trevor Khan wishes to pursue part two of his point of order he should do so by way of substantive motion.

The PRESIDENT: I uphold the first part of the point of order taken by the Hon. Trevor Khan. However, I point out that this is the second occasion on which the member has stated part two of the point of order. If he does so again, I will rule out of order his entire point of order. Because of part two of the point of order, I will not place the Hon. John Graham on a call to order.

The Hon. SARAH MITCHELL: As I was saying in my answer to an earlier question in relation to our Bump It Up expansion, it is an opportunity to look at those improvements in our literacy and numeracy results and it is something that we hope to achieve across all schools as this is rolled out. I am aware of the trial that has been taking place in South Australia. I know there were some recent media reports about that over the weekend as well. I am aware also that in the lead-up to the Federal election the Coalition Government made some commitments around a year 1 phonics test nationally. I would like to receive more information and detail in relation to what the Federal Government is intending to do as well. The member can rest assured that literacy and numeracy are a key focus of our Government and will continue to be so.

[Business interrupted.]

Visitors

VISITORS

The PRESIDENT: I take this opportunity to welcome into my gallery this afternoon Yesenia Posadas and Phoebe Thompson from the University of New South Wales Career Ready Mentoring Program, who are here as guests of the Hon. Courtney Houssos to observe question time. I remind honourable members that we have a photographer in the Chamber taking photos.

Questions Without Notice

FAMILY DAY CARE

[Business resumed.]

The Hon. COURTNEY HOUSSOS (16:20): My question is directed to the Minister for Education and Early Childhood Learning. Why has it taken the Government three years to crack down on almost 200 family day care providers when it was simply a matter of crosschecking provider applications with addresses, referees and other information?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:20): I thank the honourable member for her question in relation to family day care in New South Wales. It is important that I put on record—and I am sure members would agree—that we have some really good people operating family day care services across New South Wales. Sometimes that gets a little bit lost in communication. I know that some members in this House have family members who were family day carers. The overwhelming majority are doing the right thing. But the member is right in her question that we have had a crackdown over the last three years on those operators who have intentionally set out to do the wrong thing. Three years ago there were 400 operators in New South Wales. Now we have fewer than 200 and that is because of the significant work that has been done by my department.

A lot of these areas are quite complex. We work very closely with the Federal Government, the police and Federal authorities particularly when there are allegations of serious criminal activity. It can take some time to go through the appropriate process, as members would appreciate. In relation to fraudulent activity and the time it has taken to address it—and the member made some remarks in her question about the processes that can be in place to check these services—I want to put on the record that part of the issue we have around fraud is due to deficiencies in the Commonwealth childcare subsidy payment system.

The Hon. Courtney Houssos: You can't blame it on the Feds.

The Hon. SARAH MITCHELL: The Commonwealth Government holds the data and the intelligence required to identify fraudulent operators and the Commonwealth Government has responsibility to design and implement the payment system to safeguard against the fraud, such as payment caps and claims auditing. I say also that there have been issues with certain providers who can pass the approval requirements set by the national law. If an applicant has no criminal history, has a valid Working With Children Check and can demonstrate policies and procedures for the proposed service, New South Wales has no grounds to refuse approval under the national law. The applicant knowledge assessment—

[An Opposition member interjected.]

The Hon. SARAH MITCHELL: —where new applicants are invited to attend an assessment where they are tested on the knowledge of the national law and regulations is a successful measure that our Government has introduced.

The Hon. Matthew Mason-Cox: Listen and learn.

The PRESIDENT: The Minister will resume her seat. It is bad enough when a member interjects on a Minister. It is worse when the member interjecting is the one who asked the question and the Minister was being directly relevant in her answer. I do not need Government members to then interject across the table. I call the Hon. Courtney Houssos to order for the first time. I call the Hon. Matthew Mason-Cox to order for the first time.

The Hon. Niall Blair: Bad example for your students.

The PRESIDENT: I call the Hon. Niall Blair to order for the first time. The Minister has the call.

The Hon. SARAH MITCHELL: As I said, the applicant knowledge assessment has been a successful measure that our Government has introduced to keep out the dodgy operators. I add that if there is more to do we will. At the moment New South Wales is currently leading a review of the national law. This is a review that is overseen by the Executive Council every five years. It is currently in the consultation phase of review. As part of this review, reporting requirements under the national law for family day care are being considered to ensure that greater oversight is available. We will continue to work in this area. Our compliance activity will continue because it is very important that we make sure that we have the best people operating family day care in New South Wales.

The Hon. COURTNEY HOUSSOS (16:24): I ask a supplementary question. Of the fewer than 200 family day care centres that the Minister referred to in her answer, can she elucidate and explain whether all of those providers have had their applications crosschecked with addresses, referees and other information?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:25): As I said in my original answer, there is a process that these services need to go through to be able to become approved providers, so they have obviously gone through that process if they are operating in New South Wales. I indicate that I will get clarity around all of them because the member has asked for that specific detail. I will get that and come back to her with an answer.

Mr Justin Field: Mr President, I seek to ask an additional supplementary question.

The PRESIDENT: I point out to members that that is how to seek to ask an additional supplementary question.

Mr JUSTIN FIELD (16:25): Will the Minister elucidate her answer with regards to the conditions required to be met for approved providers that it does not require an inspection of the premises? Given that the media report suggested some of these services were operating from garages and facilities that did not even have the electricity turned on, it would suggest that these premises have not been inspected.

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:26): I thank the honourable member for his supplementary question. In terms of the regulations that services need to adhere to there is a process that new providers need to go through. I mentioned that process in my original answer. In terms of the visits, the department visits the primary office of that provider. I will seek clarity around what actually happens in relation to getting set up as a new provider and which sites and services are visited. As I said,

these are matters that are dealt with by the regulatory authority. There is a process in place but I will get clarity around exactly what happens and provide that to the member.

PAYROLL TAX

The Hon. MATTHEW MASON-COX (16:27): My question without notice is addressed to the Minister for Finance and Small Business. How is the Government reducing the payroll tax burden for businesses in New South Wales and is the Minister aware of any alternatives?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (16:27): I thank the honourable member for his question and his interest in small business. As part of the budget last year this Government committed to increasing the payroll tax threshold from \$750,000 to \$1 million over the next four years. This means \$881 million will stay in the pockets of business owners. Nearly 40,000 businesses will save up to \$5,450 this financial year and up to \$13,625 by the financial year 2021-22. What is more, by 2021-22 around 5,000 businesses that would have paid payroll tax will no longer need to as a result of these threshold increases. This means that businesses can increase wages, hire more people and invest in their business. This means more jobs and opportunities for people right across the State. This means local communities are better off. This is what good governments can achieve when we get the right economic settings in place—lower taxes, lower regulation and a willingness to partner with the business community.

Businesses will also benefit from a streamlined and modernised system following a review by the NSW Productivity Commission. As part of those reforms, compliance and administration costs are being driven down. For example, from July around 11,000 businesses with a payroll tax liability under \$20,000 will have the option to pay their payroll tax once a year instead of on a monthly basis. Also, businesses will be given an extra week to complete their annual reconciliation requirements. The question that arises from that is: What would be an alternative to that as a policy position? A policy position may suggest that a government would not deliver the payroll tax concession—

The Hon. Trevor Khan: Point of order—

The Hon. DAMIEN TUDEHOPE: Can I please stop the clock?

The PRESIDENT: No. The Minister will resume his seat. I do not need to stop the clock; it stops automatically at question time. Occasionally I will mention it if I feel that it has not happened quickly enough.

The Hon. Trevor Khan: Various members of the Opposition are repeatedly interjecting. I ask that they all be called to order.

The PRESIDENT: There are too many interjections. Members can take a point of order if they feel that the Minister is not being directly relevant in his answer or is any way not complying with the standing or sessional orders. Members will cease screaming from the benches when they do not agree with what the Minister is saying.

The Hon. DAMIEN TUDEHOPE: The alternative would be to abolish the payroll tax exemptions that have been given. Would anyone do that? Would anyone take the view that businesses do not deserve to make savings in their businesses and employ more people? Who would do that?

The PRESIDENT: The Minister will resume his seat. The Clerk will stop the clock. I call the Hon. Wes Fang to order for the first time. I call the Hon. Natalie Ward to order for the first time. Government members will cease interjecting when they agree with the Minister.

The Hon. DAMIEN TUDEHOPE: I will finish by saying that a government that embraces payroll tax cuts is a government that delivers for small business. A party that refuses to acknowledge the contribution that a reduction in payroll tax would make never deserves to be in government. [*Time expired.*]

STATE INFRASTRUCTURE

Reverend the Hon. FRED NILE (16:32): My question is directed to the Special Minister of State and Leader of the Government. Has the Minister had an opportunity to review the Infrastructure Priority List published by the Commonwealth Government in February this year, which outlines the national infrastructure plan for Australia? Will the Minister outline some of the projects and initiatives that will impact on New South Wales and explain how the New South Wales Government will be involved in bringing those projects to fruition?

The Hon. DON HARWIN (Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, and Vice-President of the Executive Council) (16:33): I thank Reverend the Hon. Fred Nile for his question. Whilst I have no specific brief for infrastructure-related areas under my new portfolio responsibilities, I am aware of what Infrastructure Australia has identified as the priority projects in New South Wales. I congratulate Infrastructure Australia on its work. It has a similar brief to Infrastructure

NSW in this State. It has categorised those projects as either priority projects or priority initiatives. Within those two categories there are the subcategories of high-priority projects, priority projects, high-priority initiatives and priority initiatives. Generally speaking, there are some important themes in Infrastructure Australia's priority list.

I am not surprised that projects connected with the new Nancy-Bird Walton Airport—the Western Sydney International Airport—have been given very high priority. The re-elected Federal Government has a longer period to demonstrate its legacy to Australia, but if it had only had two terms all residents of New South Wales would still owe it a big debt because it was the Federal Government that started work on the Western Sydney International Airport. For far too long governments of both political persuasions passed the buck. But very early on the former Federal member for North Sydney and former Treasurer, Joe Hockey, said that his Government would end that legacy. I am pleased to say that the new Leader of the Federal Opposition has also consistently supported a second Sydney airport. The project is well and truly underway. It is no surprise that it is regarded as one of the highest priority projects. A number of other projects and initiatives are identified, including the Northern Road upgrade and the fuel pipeline corridor that is being reserved from Port Botany to the new airport, which is essential for its success. There are a number of other projects. [*Time expired.*]

[*Business interrupted.*]

Visitors

VISITORS

The PRESIDENT: I welcome to the public gallery Luke and Kate Johnston, the brother and sister-in-law of Minister Sarah Mitchell, who are here to witness question time. They are most welcome.

Questions Without Notice

MEASLES OUTBREAK

[*Business resumed.*]

Ms ROSE JACKSON (16:36): My question is directed to the Minister for Education and Early Childhood Learning. With the forty-second measles case in New South Wales since Christmas confirmed yesterday, what administrative steps is the Minister taking to protect children in our schools and early childhood centres from this dangerous and highly contagious disease?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:37): I thank the member for her question. It is a very serious question. As a parent, along with many other members in this House, I want to do everything I can to ensure that my children are safe. Measles is an awful disease that we do not want our children to be contracting. In terms of the measures that we have in place to help when there are occurrences, particularly in the early childhood space, we work very closely with NSW Health and the local health departments and authorities. It is my understanding that NSW Health largely takes the lead with those matters. I am happy to provide some more detailed information to the member on notice. It is a good and serious question and I want to give the member a complete answer to allay any concerns that she may have.

ARTS AND CULTURAL DEVELOPMENT PROGRAM

The Hon. TREVOR KHAN (16:38): My question is addressed to the Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts. Will the Minister update the House on how the Government is supporting the arts and cultural sector?

The PRESIDENT: I indicate that when a member asks a question, there is no provision to allow one of his colleagues to add to his question. Let us stop that in its tracks, because I want to ensure that Hansard does not record it. Other members do not need to continually comment in relation to the question because they, too, may not debate the question, any more than the Minister is permitted to debate the question. The Minister should be permitted to start answering the question—being directly relevant, of course. He has not yet had an opportunity to say one word.

The Hon. DON HARWIN (Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, and Vice-President of the Executive Council) (16:39): I thank the Hon. Trevor Khan for his question because it gives me the opportunity to highlight how we are supporting the arts and cultural sector. The Arts and Cultural Development Program [ACDP] provides the key mechanism for supporting the sector. In 2018-2019, we received 1,620 applications for support. A record \$54.8 million has been provided to the sector through the ACDP, which supports more than 379 organisations and individuals. Last month I announced that changes to the ACDP will be introduced to streamline and improve funding opportunities for the sector in 2019-2020. I am pleased to say that the reforms will benefit all funding applicants by removing barriers to eligibility and setting fixed application timelines. Those reforms follow feedback that was provided by the

sector over the past 12 months through the Arts 2025 process, which called for a more flexible and responsive funding program.

The reforms will reduce red tape for applicants and deliver a more flexible funding model that will make it simpler and easier for the sector to obtain funding from Create NSW. We will also support a wider range of artists, organisations and other cultural workers across more accessible entry criteria. Fixed funding notification dates will allow applicants to plan and submit applications with strong confidence in our Government giving them the tools for success. We will enable funding recipients to know when they can confirm employment, presentation dates and other funding sources. The new funding model will provide two open rounds of annual funding throughout the year for each funding category. I am confident that this new funding model will provide greater support and flexibility for the sector than the rigid, multi-category approach that we previously had. It will also inspire new ideas and proposals from applicants while continuing targeted support for art forms, merit and key priority areas, such as the Creative Koori grants. New guidelines that reflect this reformed ACDP model will be available to the sector before the end of June 2019.

SHARK NETS

The Hon. MARK PEARSON (16:42): My question is directed to the Hon. Bronnie Taylor, representing the Minister for Agriculture and Western New South Wales, the Hon. Adam Marshall. It concerns the use of shark nets in New South Wales waters. The *Shark Meshing (Bather Protection) Program 2017/18 Annual Performance Report* states that of the 403 animals entangled in the nets during the reporting period, 369—or 92 per cent—were non-target animals. They included 20 grey nurse sharks, of which 10 were released alive. The grey nurse shark is one of Australia's most endangered marine species, so it is essential that we know whether those animals survived after being entangled in the nets. The *Shark Meshing Program 2017/18 Trigger Point Review Report* states that released grey nurse sharks should be tagged with pop-up satellite archival tags from early 2019 onwards to measure—

The Hon. Damien Tudehope: Point of order: While I understand the point of the question, the manner in which it has been framed is argumentative, in that it is providing a detailed description of the point that the member wants to make. The member should be directed to ask a question and not to give an argumentative description of factual material which gives rise to the question.

The PRESIDENT: The point of order is that the question contains argument. The member has only three seconds left to ask his question. I will allow him to finish asking his question in the last three seconds; then I propose to look at the question and rule on it. I do not wish to take too much of question time. The member has three seconds to complete his question.

The Hon. MARK PEARSON: My question is whether tags were attached to grey nurse sharks this year— [*Time expired.*]

The PRESIDENT: I refer members to a past ruling of then President Johnson in 1986, which was cited by then President Harwin in 2007 and by me in 2018. It is a lengthy ruling: to summarise, a question should be specific; it can contain a little bit of foundation; it should not, of course, become a speech or debate; and it should not contain argument. I do not believe the question asked by the Hon. Mark Pearson contains argument. It is quite lengthy; much of the foundation probably was not necessary. It is up to the Minister how she answers a question. If the Minister believes that she can answer the question or take it on notice, I will allow the question this time. I indicate to the Hon. Mark Pearson that he needs to shorten his questions in future.

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (16:47): I thank the honourable member for his question and for his commitment to sharks. As the question relates to a Minister in another House, I will take it on notice and get back to the member in a timely manner.

NAPLAN TESTS

The Hon. MARK BUTTIGIEG (16:47): My question is directed to the Minister for Education and Early Childhood Learning. Given community concerns that students sitting NAPLAN tests faced inconsistent testing conditions—including recent reports that some students had access to spellcheck and auto-complete functions during the writing component of the test—how does the Government stand by the integrity of the results of this year's NAPLAN tests?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:48): I thank the honourable member for what I believe is his inaugural question in this House. It is an important question. Obviously, NAPLAN was discussed here in the Chamber last week in relation to the online testing and the glitches that occurred, and then the resit. I am aware of the reports of the incidents that the member has referred to in his question. I will repeat what I said in the House last week, to my recollection: These matters will be

discussed at the coming Education Council meeting. The issue has affected many other States across the country, not just New South Wales. Questions around the data and the use of that data, I am sure, will be a hot topic of conversation when Ministers meet later this month. I am sure that it will be on our agenda and that we will be discussing ways to go forward in relation to the data.

The Hon. MARK BUTTIGIEG (16:49) I ask a supplementary question. The question was quite specific. Does the Minister stand by the integrity of the NAPLAN tests, given the concerns that parents have raised?

The PRESIDENT: Order! I do not consider that to be a supplementary question. It does not tick the three requirements that I have mentioned on previous occasions. The supplementary question is out of order.

REGIONAL EDUCATION

The Hon. TAYLOR MARTIN (16:50): My question is addressed to the Minister for Education and Early Childhood Learning. Could the Minister update the House on innovative ways in which the New South Wales Government is improving access to a quality education, particularly for regional and remote students?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:50): I thank the member for his question. Our Government is committed to ensuring that every student—no matter their background, no matter where they live, no matter their circumstance—has access to quality education. This Government has embarked on the biggest investment in school infrastructure in the State's history, investing \$6.5 billion to deliver 190 new or upgraded schools right across the State, many of which are located in regional areas. This investment has meant making decisions that are in the best interests of students, to ensure that they are provided the opportunity to be their best.

Recently I had the pleasure of visiting the site of the new Armidale Secondary College. The project will see the former Armidale and Duval high schools relocate to a brand new facility. When complete, the new school will support up to 1,500 students. By building this new facility, the Government is enabling greater opportunity for students with a broader selection of courses on offer, including vocational education subjects and the incorporation of science, technology, engineering and mathematics [STEM] and HSC extension courses. The new school will include specialist facilities for science, industrial arts, hospitality, agriculture and performing arts. When I visited Armidale in May I was able to see a 3D digital flythrough of the new school build that accurately demonstrates the grand scale of the project. I met four school captains—Henry, Charlotte, Jaia and Annie—and some of them joined me on a site tour. They were very excited to show off what used to be their canteen and discuss the plans going ahead. Their only "concern" was they would graduate before they could take advantage of the greater opportunities that the new merged school will provide.

This is not a unique project. Across the State, this Government is ensuring that our children are being taught in world-class facilities. That is why the Government has also made the decision to invest \$25 million to upgrade the facilities at Murrumbidgee Regional High School. Split across the site of the former Griffith High School and Wade High School, the one-school model will improve the educational opportunities for the students in Griffith. The new school increases the subjects on offer to students and allows greater collaboration on teaching methods. The investment will improve learning spaces including classrooms, a gymnasium and a multi-purpose learning centre.

I know that some members in this House have a particular interest in this project. I can assure the House that the Government is listening to any issues that are raised by the community. It is a topic that the member for Murray, in the other place, has raised with me. A few weeks ago we agreed to meet to continue that discussion. That meeting is due to take place tomorrow; it has been locked in for a few weeks. The Department of Education has undertaken extensive consultation and will continue to engage with the Griffith Secondary Education Advisory Council and other key stakeholders. Our decision to combine the former Wade and Griffith high schools into the new Murrumbidgee Regional High School has been undertaken with the view to enhancing opportunities for students, improving student welfare and providing greater educational outcomes at the school. This Government will continue to deliver the infrastructure and resources for students across New South Wales. [*Time expired.*]

STUDENT LITERACY

The Hon. MARK LATHAM (16:53): My question is directed to the Minister for Education and Early Childhood Learning. Given the Minister's earlier statement declaring the Government's support for the teaching of phonics, why is the Government persisting with early literacy programs that include whole-word reading rather than relying on phonics? Is the Minister aware that one of those programs—the Government's Language, Learning and Literacy [L3] initiative—has been evaluated as part of the declining literacy scores in New South Wales, having based its methodology on the flawed, now abandoned, Reading Recovery program? When will L3 also be

removed from classrooms and be replaced with phonics-based programs that work in practice—the ones she mentioned earlier in question time?

The PRESIDENT: Before the Minister commences her answer, I indicate to those members who have confused expressions on their faces that the Hon. Mark Latham was asking the question in the place of his colleague, which he is permitted to do.

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:54): I thank the honourable member for his question. As I may have said earlier in question time, I am certainly aware of the debate between those who advocate explicit phonics instruction and those who advocate a whole-of-language approach to reading instruction. I am aware that presently many schools across the State use a combination of both. I also know that there are some programs, such as L3, which the member mentioned in his question, that sit predominantly in the whole-of-language camp.

For some students this approach can work; however, the Government will always take an evidence-based approach when it comes to education. The member may be interested to know that the Centre for Education Statistics and Evaluation is currently reviewing the L3 program and will make recommendations to the department when it is finished. Other schools that are not using L3 can access tailored support programs to provide early intervention for students who need it. The member also asked about the Reading Recovery program. I can advise that all central support for the Reading Recovery program has stopped, and there is no training available for it anymore.

GENDER QUOTAS

The Hon. TARA MORIARTY (16:55): My question is directed to the Minister for Mental Health, Regional Youth and Women. When did the Minister decide that she no longer supported quotas for women in public positions? Was it before or after she was appointed Minister with responsibility for women?

The PRESIDENT: Put simply, the question is a double-barrelled question: "When did she decide?" There is no foundation, in the question, that the Minister has so decided. The question could easily be reworded, "Has she decided not to support ..." But to simply ask, "When did you decide you no longer support?" is right up there with the example that lawyers use, "When did you stop beating your wife?"

The Hon. Walt Secord: Point of order: I would like to point out that no point of order was taken in the Chamber.

[Government members interjected.]

The PRESIDENT: The member is 100 per cent correct. I gave the member the call and I agree with him that no point of order was called. I have a response to that, but I will hear the member. I do not need Government members to interject.

The Hon. Walt Secord: Mr President, I was waiting for your answer.

The PRESIDENT: Thank you. I do not have to wait for a point of order to be taken. As President I am permitted to rule on any matter, notwithstanding that no point of order has been taken. The question is out of order. The member may wish to reword the question for the future.

SUICIDE PREVENTION

The Hon. NIAL BLAIR (16:58): My question is addressed to the Minister for Mental Health, Regional Youth and Women. Will the Minister update the House on what the Government is doing to help prevent the tragedy of suicide in New South Wales?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (16:59): Every suicide is an absolute tragedy. It is everybody's business. Everything we do as a government in the mental health space and everything I do as mental health Minister is ultimately about preventing suicide. The budget commitment that was announced is \$87 million over three years—a significant investment. The New South Wales Government takes a whole-of-government, system-wide approach to suicide prevention, because we acknowledge that suicide is a complex issue with neither a single cause nor a simple solution. It requires governments at all levels, community-managed organisations, the private sector and communities to work together to develop suicide prevention services and activities designed to support local need. NSW Health works in partnership with the Commonwealth Government on suicide prevention. Suicide prevention is a priority under the Fifth National Mental Health and Suicide Prevention Plan.

New South Wales is also working with other States to develop a national suicide prevention implementation strategy. On 17 October 2018 the New South Wales Government released the *Strategic*

Framework for Suicide Prevention in NSW 2018-2023. This framework sets out the fundamental principles of suicide prevention, assisting communities to coordinate the essential elements of a response that suits their local needs and conditions. It also links closely with the Fifth National Mental Health and Suicide Prevention Plan. This work was undertaken in consultation with the NSW Suicide Prevention Advisory Group, which is made up of a number of representatives from suicide prevention organisations and other government agencies. It was also guided by a number of consultations held in communities around the State in 2018.

To support the *Strategic Framework for Suicide Prevention in NSW 2018-2023* and this State's journey towards zero suicides in 2019, a total of 28 new initiatives will begin to be rolled out, with full implementation by 2020-21. As I mentioned, the budget commitment announced is \$87 million over three years: \$10.2 million for Zero Suicides in Care, to strengthen practices within the mental health system to eliminate suicide attempts by people in care; \$9 million for aftercare services, to improve follow up care for people after a suicide attempt; \$25.1 million for alternatives to emergency department presentations, to deliver new and more immediate support to people with suicidal ideation; \$1.95 million for improved collection and distribution of suicide data, to strengthen quality, linkage and integration of suicide-related data in New South Wales; \$4.56 million for new postvention services for people bereaved by suicide; \$6.75— [*Time expired.*]

The Hon. DON HARWIN: The time for questions has expired. If honourable members have further questions I invite them to place them on notice.

FAMILY DAY CARE

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (17:02): Earlier today I was asked supplementary questions by the Hon. Courtney Houssos and Mr Justin Field regarding family day care. I have received further advice from the Department of Education. The department continues to take a risk-based approach to regulation, with an individual risk profile for each service. The risk profile includes information about the persons in management and control, and the approved entity. The department works closely with other agencies—including the NSW Police Force and the Commonwealth Department of Education and Training—to exchange information and undertake joint operations. As the risk profile changes the Regulatory Authority will continue to take compliance action to investigate and take necessary action. From 1 June 2018 to 31 May 2019 a total of 804 visits, separate to the standard assessment and rating procedure, were conducted on a total of 99 family day care services.

In answer to the pre-approval process, a site visit is conducted for all services. For family day care this is to the approved provider's office, as I indicated in my original answer. An interview and site visit with coordinators and educators is conducted as part of the compliance check covering prescribed policies and procedures, qualifications and training—that is Working With Children Check and first aid—and the safety of the physical environment. Officers use standard checklists to conduct the compliance visit. Authorised officers observe service practice; ask questions about practice, policy and procedures; and sight documents. This evidence is recorded by the authorised officer. In addition to the pre-approval process, 178 of the 187 currently approved family day care services have been assessed and rated, and have a published quality rating, which involves both a visit to the principal address and to the individual educators' homes.

Supplementary Questions for Written Answers

SUICIDE PREVENTION

Mr DAVID SHOEBRIDGE (17:04): My supplementary question is directed to the Minister for Mental Health, Regional Youth and Women regarding her answer on suicide prevention in the regions. The community has advised me that there have been approximately 24 suicides in Kempsey in just the first four months of this year, a disproportionate number of which were Aboriginal people. What specific funding and programs are there to prevent suicide of First Nation people in the Kempsey community?

STUDENT LITERACY

The Hon. MARK LATHAM (17:05): During question time in answer to my two questions on literacy the Minister for Education and Early Childhood Learning said that she would be seeking further information about the year 1 phonics screening check and determining its future in New South Wales, if any. The Minister also alluded to the latest review of L3. I was seeking in writing the outcome of the review into L3 and the determination on the year 1 phonics check. While the Minister gave answers with information, she made no commitment to come back to the House or to me with the final determination. I would appreciate that.

The Hon. Trevor Khan: Point of order: My point of order is whether the Hon. Mark Latham's question constitutes a further supplementary question. It seems to me it seeks that the Minister provide an answer in a different form from which the Minister already indicated that she would. My view is that this is not what this

further supplementary question was intended to do. I am not being critical of the honourable member, but it does not seem to be within the sessional order.

The PRESIDENT (17:06): I shall make some comments before I give the Hon. Mark Latham the opportunity to address me on the point of order. I am of the view that when a question is asked, there are rules in relation to the first supplementary question—that is, it must be a valid supplementary question. The same rules apply in relation to a second supplementary question. It is my view that the same rule would apply in relation to what could be described as the third supplementary question seeking a written answer.

Those rules, as I have pointed out on a number of occasions, are quite clear. The supplementary question needs to satisfy three aspects: It must be related to the original question, it must relate or arise from the answer and it must seek to elucidate a part of the question given. I believe that the initial part of the further supplementary question of the Hon. Mark Latham was doing that, but then the member seemed to deviate, as the Hon. Trevor Khan said, and referred to further areas that are clearly not within the supplementary question.

However, I rule that the first part of the question, which the Minister is able to provide a written answer to, is in order as it is seeking an elucidation. However, the balance of the supplementary question is not in order. The Minister can clearly work out which part of the supplementary question is in order and answer that part of it.

STUDENT LITERACY

The Hon. COURTNEY HOUSSOS (17:08): My supplementary question relates to the question asked by the Hon. Mark Latham and directed to the Minister for Education and Early Childhood Learning regarding phonics. How many schools have received funding from, and how much has been spent on, the Government's Effective Reading in the Early Years of School program to purchase decodable texts?

Committees

PORTFOLIO COMMITTEE NO. 5 – INDUSTRY AND TRANSPORT

Reports

Debate resumed from 8 May 2019.

The Hon. MICK VEITCH (17:09): I speak in debate on the report of Portfolio Committee No. 5 - Industry and Transport entitled *Budget Estimates 2018-2019*. I do so on behalf of a former member of this place, the Hon. Robert Brown, who was the Chair of the committee. I draw honourable members' attention to the Chair's foreword to that particular committee report. I contacted the former member seeking anything he would like to put on the record with regard to this report. He thanked the committee secretariat for its support during the budget estimates process and the Hansard staff for their professionalism during what can often be a robust committee hearing process.

He extended his appreciation to the committee members at the time for the way in which they carried themselves during the budget estimates process. He extended his appreciation and thanks to the stakeholders who participated in budget estimates, the Ministers and the senior government officials. It is also noteworthy that this year budget estimates will take a completely different format; there will be a different vibe and a different set of arrangements. There is no need to dwell upon budget estimate reports from last year; they are done and dusted as we move forward. On behalf of the Hon. Robert Brown, I commend the report to the House.

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

Motion agreed to.

PORTFOLIO COMMITTEE NO. 4 - LEGAL AFFAIRS

Reports

Debate resumed from 8 May 2019.

The Hon. ROBERT BORSAK (17:11): I thank my fellow committee members for their participation in the inquiry of Portfolio Committee No. 4 – Legal Affairs entitled *Fire and Emergency Services Levy*. I also thank the committee secretariat as well as all the participants. Our emergency services personnel undertake important and high-risk work to help protect our communities. The least we can do is provide them with the appropriate funding to ensure their health and safety. The failed implementation and late deferral of the fire and emergency services levy [FESL] led to this committee making two findings in this inquiry: first, that the FESL was a poor policy decision, undertaken without adequate understanding of the complexities of the issue or impacts

of the proposed reforms; and, second, that significant and avoidable costs to local government and to the insurance industry were incurred as a result of the aborted implementation of the FESL.

The committee ended up completely unsure of why the Government pursued the FESL at all when it was clear it would not meet its policy objectives. This inquiry brought to light once again the gross negligence of the Government when it comes to implementing policy. When feedback was supplied by communities that were operating under the FESL, it was found that it placed excessive burden on a number of property owners. This information could have been ascertained beforehand through appropriate consultation with key stakeholders. It just so happens that that is recommendation five. At some point I am sure the Government will get sick of these committees making recommendations to consult with stakeholders and it will just do it. We might get lucky one day and the Government will consult others before it implements something as important as this levy.

Six recommendations have been made from this inquiry into the fire and emergency services levy. The inquiry came about because of the numerous reports that funding was deficient around issues such as fairness, affordability and transparency. This is an indictment on our Government that appropriate funding is not already secured for such important agencies. The committee has recommended that before the Government attempts to implement another FESL or emergency services levy, it seeks to ensure that it is equitable, transparent and fair. I urge the Government to take full consideration of the committee's recommendations. I commend the report to the House.

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

Motion agreed to.

PORTFOLIO COMMITTEE NO. 2 - HEALTH AND COMMUNITY SERVICES

Reports

Debate resumed from 8 May 2019.

The Hon. GREG DONNELLY (17:15): I speak in the debate on report No. 50 of Portfolio Committee No. 2 - Health and Community Services entitled *Budget Estimates 2018-2019*, dated December 2018. The report before the House, as is the case with respect to similar reports for other portfolio areas, is in a pro forma document that is produced each cycle of budget estimates, presented to the House and then debated. I draw members' attention specifically to page 1, paragraph 1.3 of the report, which lists the four hearings that took place with respect to the specific portfolio areas. For completeness, a final supplementary hearing was held on Monday 5 November 2018.

The committee held a three-hour hearing for the portfolio areas of Disability Services and Multiculturalism. On the same day a three-hour hearing was held with respect to Family and Community Services, Social Housing, and Prevention of Domestic Violence and Sexual Assault. On Thursday 6 September from 9.00 a.m. to 12.00 p.m. a hearing was held dealing with Mental Health, and Women and Ageing. That afternoon four hours was devoted to Health and Medical Research.

The point I am making by commenting specifically about the time allocation with respect to the budget estimate hearings for 2018-2019 is that those periods of time were not dissimilar to previous hearings going back many years. In recent years it has been the norm for the Government to surrender its time asking questions, reducing the hearings to a shorter period and the time with respect to questioning being devoted to the Opposition and the crossbench.

The budget estimates are limited. It is that experience that has led to the consideration and now the endorsement by this House for a more detailed and lengthy set of budget estimate hearings in a few months' time. I share the view of members on this side of the House and the Government when it ends up on this side of the House—where it once was and invariably will be again in the future—that if the budget estimates process is to be effective to undertake thorough and detailed questioning of the respective Minister and his or her senior bureaucrats or agency representatives, there be the necessary time to do so.

We all know in our heart of hearts that, prior to the recent decisions we have taken in anticipation of the next round of budget estimates hearings, the time allocated to these in the past has been woefully inadequate. It is pleasing that these short hearings will be consigned to history. This year and beyond budget estimates hearings will enable members of the Opposition and crossbench to spend a far greater amount of time dealing with issues and following up with further questions. I found the big problem regarding the previous format for budget estimates hearings was that you sometimes received an answer that you wished to follow with a supplementary question—due to a Minister or bureaucrat raising an interesting point—but you knew that doing so would truncate the time available to ask further prepared questions. However, with the more extensive amount of time provided

in future hearings you can follow your questions with supplementary questions and progressively move through subject areas in a more thorough fashion.

I note that chapter 2 of the report contains a pro forma outline of what was covered in each of the hearings, picking up the significant subjects raised by the Opposition and the crossbench in their questioning of the respective Ministers, their senior bureaucrats and agency staff. The hearings are listed in chronological order on pages 3 and 4, paragraphs 2.1 through 2.6, along with the relevant portfolios and a good cross-section of the subjects covered. One can see by those subject headings that there is a huge scope for additional questions to be asked of a Minister, his or her bureaucrats and staff. However, the budget estimates hearings were previously so short. Under the new provisions we will have a lot more time in the forthcoming cycle.

Last year I once again had the privilege of chairing the budget estimates hearings of Portfolio Committee No. 2. I note appendix 1 of the report lists for each hearing the Ministers and their respective staff. Some Ministers obviously choose to adopt what I might describe as a dominant role in budget estimates hearings. That is the case for individual Ministers who wish to take that lead and answer most of the questions. Other Ministers are predisposed to delegating questions to their bureaucrats and staff to answer. In recent times I think it has been pretty easy to give a bureaucrat a bit of a kick in the pants and say, "Well, they are just a State-sector worker, they are just a bureaucrat and they just work for government." I think it is important to understand that Ministers in any government of either complexion are highly reliant on professional staff to support them in their work.

If one goes through appendix 1 they will see the names of a number of individuals who have served for some time within the New South Wales bureaucracy at various levels. It reflects on the calibre of those individuals who over the years have progressed to very high office, including, for example, that of department secretary. I thank these individuals who take serious time out of their life to commit fully to their role as State-sector employees—albeit working at a very senior level on an attractive salary. They work exceedingly hard to provide what we all hope is frank and fearless advice to the Minister for his or her deliberations so that he or she can make the best decisions on behalf of this State. I thank all the members who participated in the hearings—both the permanent members of Portfolio Committee No. 2 and those members of this House who substituted in and participated in hearings. I thank them all for the constructive way they participated in the budget estimates process.

I also thank Hansard and parliamentary staff for their hard work and support over the course of the hearings. Hearings are for the most part pretty good natured; there is some sparring from time to time, but as a Chair I think I was able to keep reasonable control over the proceedings and I believe most Chairs are able to do the same. Budget estimates hearings are meant to be serious affairs and the questioning should be robust and to the point. This House, through its questioning of Ministers and their staff through budget estimates, is entitled to accurate and clear answers. The great support we receive from Hansard and parliamentary staff enables us to concentrate on that job over the hours that we are committed to these hearings. I conclude by saying that members on this side of the House sincerely look forward to the more comprehensive schedule of 2019-2020 budget estimates hearings when they get underway in only a few months' time. I commend the report to the House.

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

Motion agreed to.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. NATASHA MACLAREN-JONES: I move:

That committee reports order of the day No. 4 be postponed until next sitting day.

Motion agreed to.

The PRESIDENT: Order! According to the resolution of the House of Wednesday 29 May 2019, proceedings are now interrupted, but not so as to interrupt a member speaking, to enable the Hon. Rod Roberts and the Hon. Mark Buttigieg to make their first speeches without any question before the Chair.

Members

INAUGURAL SPEECHES

The PRESIDENT: I remind honourable members to extend the usual courtesies to members making their first speeches. I welcome to my gallery family members of the Hon. Rod Roberts, who include his wife, Lynette; their son, Cameron; his brother Quenten, and other close family and friends.

The Hon. ROD ROBERTS (17:32): From the outset let me say with a great deal of humility how honoured I am and what an intense pride I feel standing here this evening. A few short weeks ago I, along with my fellow newbies in the class of 2019, were entertained by a former longstanding member of this House, the Hon. Michael Egan. One of the many gems from Mr Egan was, "Don't say something in 30 minutes that you could say in 15 minutes. Your fellow members will appreciate it." On this occasion—and on this occasion only—I am taking his advice and keeping this speech succinct.

I take the opportunity in this, my inaugural speech in this House, to acknowledge the assistance and opportunities I have been provided with that enable me to stand before you today. Firstly, my wife and life partner, Lynette, has been a stable and steady rock for me and is always willing to let me pursue my goals and ambitions. For that I thank you. Our son, Cameron, is the joy of our lives and his own achievements, particularly in the sporting arena, have made us very proud parents. To our party founder and Federal leader, Senator Pauline Hanson: I thank you for providing me with the opportunity to have represented our party at the recent State election. You placed a great deal of faith in me and I trust that I have not, and will not, let you down.

To my colleague in the House, the Hon. Mark Latham: I owe you a debt of gratitude for the hard work, experience and heavy lifting you did during the campaign. It was those efforts of yours that raised our party to the position that we find ourselves in today. So to you, Mark, a public thank you and an acknowledgement of your vital contribution. To our New South Wales party executives, in particular Mick Jackson, Amit Batish and Kate McCulloch: thank you for your behind-the-scenes efforts in coordinating and assisting our campaign. To our other candidates and volunteer workers who manned polling booths and pre-poll booths, handed out flyers at train stations and made other valuable contributions, I say thank you.

Lastly, to our supporters and those that voted for us: I sincerely thank you and pledge to continue to advocate for our election policies that are based on common sense and practical approaches. I also acknowledge some members of this Chamber: Mr Justin Field, with whom I have shared a few cups of coffee; the Hon. Niall Blair; the Hon. Lou Amato; the Hon. Scott Farlow; and the Hon. Matthew Mason-Cox, who took the time to sit with me and offer friendship and advice. The Hon. Greg Donnelly has offered to provide me with his sage advice as well. Thank you, Greg. To all those gentlemen, I say thank you.

On the day I first set foot in this historic Chamber, I was asked: What is your inaugural speech going to be about? To be honest, I was at a complete loss. I know traditionally it is an opportunity to convey to others an insight into my past life and what has fashioned me into the character that I am today. However, I believe my fellow members do not need, nor want, to sit and listen to the trials and tribulations in the life of Rod Roberts. There is a loud call from outside this Chamber and particularly from outside this building that politicians are too self-absorbed and self-centred, that they would rather speak about themselves and that they are not interested in the community. This is definitely not a criticism of or reflection upon those that have spoken before me, but I have chosen to take a different course. It was a chance meeting with two young, bright and intelligent students on the front stairs of this building on Thursday 9 May that chose for me what I would like my address to be about.

Those two young leaders of tomorrow, Ella and Stephen, are the school captains of the Endeavour Sports High, which is situated at Caringbah in Sydney. By the way, that school was awarded the Australian Public School of the Year Award for 2018. Ella and Stephen were here as part of the School Leadership Program along with a number of other students from various schools. I am sure members are aware of that program. As this House was not sitting on that day, the young people were afforded the opportunity of watching proceedings in what we refer to in this Chamber as the other place, the Legislative Assembly. It was after this, during their lunch break, that I had this chance meeting with them both. I asked, "How did you enjoy your time watching the proceedings?" Unfortunately, I was left dismayed, disappointed and—to be quite frank—embarrassed by their answer.

They said, "We have been taught from kindergarten to show respect to one another and to listen when others are speaking. We did not see that here today." They could not believe the antics, the disrespect and the uncivil behaviour that they witnessed. They further said that they would not be allowed to behave like that at school. Those young future leaders of tomorrow have left this building disillusioned as to the state of politics and, in particular, the behaviour of politicians in New South Wales. Election to public office is a privilege and it carries with it a great weight of responsibility. The citizens of New South Wales expect, demand and, of course, deserve representation of the highest calibre. I believe we need to be reminded of the definition of a politician. That definition is one "who is responsible for making citizens' voices, opinions and perspectives present in the public policymaking process".

Members of this Parliament have been entrusted with the grave responsibility of providing effective and enlightened leadership of this State. That trust has come from the community at large. Recently I received communication from the Most Reverend Anthony Fisher, Catholic Archbishop of Sydney, congratulating me on my election to Parliament. In it he provided a quote from the *Bible*. It is from Luke 12:48 and says, *inter alia*, "And from the one who has been entrusted with much, much more will be asked." I do not come from nirvana,

nor do not believe in utopia, and I do not believe that members of this Chamber should sit in a circle on the floor, hold hands and sing *Kumbaya*. This is the venue for the contest of ideas and ideals. Therefore, I do, as do we all, expect this House to engage in rigorous and robust debate.

In life, the varying of opinion is normal. In this Chamber, it is expected. That variance, in turn, can lead to frustration and disagreement. However, it is all part of the democratic process. The Westminster system of government has led to an adversarial approach, one where sides advocate their parties' policies and stance and attempt to persuade others to agree to their position. That is the nature of our role. This adversarial system, though, is not an excuse for ill-tempered and improper behaviour. It is not an excuse for conduct unbecoming of such a position of responsibility. The people of New South Wales demand and expect the appropriate level of behaviour from their elected representatives.

Through the two recent election campaigns it has become obvious that amongst members of the public there is a great deal of mistrust of politicians. This mistrust leads to a lack of confidence and faith in the political system and in those they have elected to represent them. This perception is fuelled by the display that the likes of Ella, Stephen and their fellow students witnessed. I believe it is incumbent upon all of us, in this the Fifty-Seventh Parliament, to change that view and perception. Whilst we will—and should—at all times passionately state and defend our position in debates, there remains no excuse for, or tolerance of, the degrading of others and of not displaying common courtesy. We are expected at all times—whilst vigorously outlining our opinions—to act with decorum.

Whilst on the subject of decorum and courteous behaviour, I acknowledge and thank the parliamentary staff from the Clerk's office, the library and members' entitlements. In fact, all those with whom I have had dealings have been so professional and helped to guide me through the maze that is this Parliament and its operation. That leads me to other questions I have been asked, which are: What do you want to achieve whilst you are in Parliament? What will be your legacy? I am not naive or egotistical enough to believe that I alone can change anything. However, what I do know is that all of us here, working together as a cohesive unit, can achieve many great outcomes for the people of New South Wales.

One area that I would like to focus attention on, and call upon all members in this House to support, is water security. I believe no-one in this House could be satisfied with the current state of our river systems and, therefore, our water supply. Water is intrinsic to life. It is a necessity to human life in so many ways. There are some clever and talented members in this Chamber. However, I know that even with our combined efforts we cannot change climatic events such as the drought we are experiencing at present. I think the Hon. Niall Blair touched upon that earlier today. But we are capable of putting in place mechanisms to harvest and capture more rainwater and, once captured, to store and manage the allocation of that commodity in a way that realises how precious it is.

In the early 1900s, way before the term "climate change" was thought up, Dorothea Mackellar in her iconic poem *My Country* wrote of droughts and flooding rains. Our country, and thereby New South Wales, is a land of extreme climatic variability and a land that can be harsh at times. It has always been this way and will always be this way. Notwithstanding the unpredictability of our weather patterns, surely there is commonality within this Chamber to find better outcomes for our constituents. Water security, or the lack thereof, is imperative in helping to secure our long-term economic prosperity. The security, availability and, most importantly, affordability of water is absolutely necessary for agricultural production. It boosts regional population, employment, wealth and—of vital importance to us all—food security, whether it be animal- or plant-based.

We cannot keep taking more water from rural New South Wales without having a subsequent impact on food production and the surrounding communities. The viability of many towns is currently under threat. So too are jobs in regional processing and service industries. If we wish to maintain and hopefully grow our irrigated agriculture sector, we must increase storage capacity. There is no question that the current drought that we are enduring has shown that we have inadequate water storage. Irrigated agriculture has stopped in its tracks. If Australia is to become the food bowl of Asia, and if New South Wales wants to take advantage of the opportunities, we must have more water storage.

Many end users are competing for their share of the limited resource that is water—from agricultural, urban and industrial areas. Of course, there are also the necessary environmental flows. It is my understanding that the last dam built in New South Wales was Split Rock Dam near Tamworth. That was in 1987, over 30 years ago. In those 30 years the population of New South Wales has increased by 45 per cent. Now is the time for a holistic and integrated approach to the capture, diversion and storage of water. It is time to examine the augmentation of our existing infrastructure. It is time to ensure that best management and allocation practices are in place. It is time to guarantee that the systems in place are sustainable and efficient. It is also time to ensure that all practices in place are environmentally sound. As leaders we are encumbered with the task of delivering solutions in this area for the people of New South Wales.

As I cast my eyes around this Chamber, I see various political parties representing a diverse range of people with varying views and beliefs. But if I may, I will highlight a degree of commonality in this area. I look to the Shooters, Fishers and Farmers Party. They get it. They are heavily invested in finding a solution. In the last election they won two seats straight off the back of the water issue, being Barwon and Murray. If they want to retain those seats, and perhaps win more, they need to work to find a solution. I say to my friends here from the Liberal-Nationals Coalition, you lost those two seats to the Shooters, Fishers and Farmers Party. I am sure you want to win them back and also shore up support in other regional and rural locations. To do that you will have to work to find a solution.

To the members of the Labor Party, the political arm of the trade union movement, you purport to represent working families. Let me tell you: Jobs in regional and rural New South Wales are drying up as quick as the rivers—not just jobs directly in agriculture but also jobs in service and support industries such as transport, processing and manufacturing. Then there is the flow-on effect into retailing in small towns. Apart from rural folk, what about the working families in the city areas? With the decrease in productivity in the farming sector will come the inevitable rise of prices for produce. How will families be able to afford fresh fruit and vegetables to put on the dinner table? The Hon. Peter Primrose summed it up perfectly in his private member's statement in this Chamber last week when he said, "When farming is bad, everything is bad". The Hon. Mick Veitch, a former shearer from rural New South Wales, would have an affinity with rural people and surely an understanding of the impact the current situation is having. Need I remind you that the slogan for your branding of Country Labor is "Standing up for the country"?

To the Independent in the House, Mr Justin Field, and to the members of The Greens, who champion the cause of the environment: You would have noticed how I have talked about the importance of environmental flows and sustainable practices so you, too, have a vested interest in solving this dilemma. To the Hon. Emma Hurst and the Hon. Mark Pearson of the Animal Justice Party: Whilst you still have a lot of convincing to do to get me to forgo my steak or—with the arrival of winter—lamb shanks, I understand your passion and desire to encourage us to eat a plant-based diet; however, no rain equals no grain. If your goals are to be achieved you will need to ensure the reliability of the irrigation sector. Therefore, you need to get behind this.

To Reverend the Hon. Fred Nile, with all due respect, you have been in this Chamber a very long time. You have probably heard the discussion about water ad nauseam. You have seen this can kicked down the road many a time. Now is the time to fix it. I implore you to be involved. Your assistance is required. That leaves only One Nation—Mark and I. We are clearly concerned enough for me to be speaking about it this evening. We get it. Prior to the election the Hon. Mark Latham and I toured the southern parts of this State—Mark toured around Leeton and Moama and I toured around Griffith and Deniliquin. We saw the effects firsthand. We listened to the farmers' desperate and impassioned pleas. We made it one of our election policies and we want to work towards that promise.

We all have an interest, desire and motive to see positive changes and strategies implemented. The time has come for innovative leadership and visionary government policy for far greater harnessing, storage and allocation of our precious water resources. That vision may require the building of massive infrastructure. Some will say, "What will that cost?" I say, "What is the cost if we do nothing?" The same vision and leadership that was shown for the Sydney underground rail network in the 1920s, the Sydney Harbour Bridge and the tunnel under Sydney Harbour—not to mention the might of the Snowy Mountains scheme—is needed today. I am sure all of those projects had many detractors—those who scoffed and said it could not be done or was too expensive. I do not think that they are valid arguments. Finding a workable, sustainable and timely solution to the crisis we find ourselves in will enable and support the continued economic growth and prosperity of New South Wales. Remember: What is good for the people of New South Wales is surely good for us. Thank you.

The PRESIDENT: I remind honourable members to extend the usual courtesies to the Hon. Mark Buttigieg as he makes his first speech in this place. I welcome to my gallery members of the Hon. Mark Buttigieg's family, including his wife, Anna; their son, Gerard; his parents, Victor and Carmen; and other close family members and friends, including a former Federal Minister in the Hawke and Keating governments, the Hon. Gary Punch.

The Hon. MARK BUTTIGIEG (17:56): I start by recognising the traditional owners of the land on which we are gathered today, the Gadigal people of the Eora nation, and pay my respects to its Elders past, present and emerging. One of the outstanding defects of our great social democracy is the fact that to date we have failed to recognise our Indigenous peoples in the Australian Constitution. It is a task that politicians of all persuasions must set themselves to lead on. Until we do, we will never be complete as a nation. I dedicate this speech to my son, Gerard, who is here today and whom I love very dearly. I am very proud of the decent and caring human being he has turned out to be. In 15 years he has achieved more than I have in 53—he is in a rock band and he is cool.

My journey to this place started in 1955 with my grandfather and grandmother, Gilardu and Annunziata Mercieca, who stepped off the ocean liner *Surriento* just down the road from here at the Overseas Passenger Terminal. My uncle Robert vividly remembers those first steps on Australian soil. Together with his wife and four children—my lovely mum, Carmen; my uncles Robert and Vincent, who are with us today; and my aunt Josephine, who is no longer with us—my grandfather shouldered a massive wooden box that contained everything the family had brought from Malta. The sharp edges of the box cut into his shoulder as they walked up from Circular Quay, past this very Parliament, on their way to rental accommodation in South Dowling Street, Darlinghurst. They would not have even known what this building was, let alone imagined that their first grandchild would be giving his inaugural speech to the New South Wales Parliament in that same building some 65 years later.

It was my Nunnu Gilardu who first sparked my interest in politics. He was a blacksmith and secretary of the labour club in his village of Naxxar in Malta. Today I am wearing his original Malta Labour Party badge. In 1978, at age 12, I was sitting with him at the dining table of my grandparents' place at 349 Bunnerong Road, Maroubra. The year before, my dad, Victor; mum, Carmen; and sister, Fiona—who are all with us today—had moved from 14 Keating Street, Maroubra to Sylvania Waters, which was and still is in the electorate of Miranda. The front page of *The Daily Telegraph* had caught my attention—as it often does. It was emblazoned with the headline "Wranslide" in reference to the momentous Labor Party victory in the New South Wales State election, led by the great Neville Wran.

I was asking my Nunnu Gilardu about the voting result tables published in the newspaper. I remember him proudly explaining to me, "This seat of Maroubra, Mark, is a blue-ribbon Labor seat,"—because it was almost impossible for the Liberal Party to win—"unlike the seat where your mother and father have moved to," Miranda, which was a Liberal seat. Ironically, the Labor Party won Miranda in that "Wranslide" election and again in 1981, after which it reverted to the Liberal Party. It was then famously won back by Barry Collier in 1999, who went on to hold the seat for 12 years and won it back again in 2013 with a record 26 per cent swing. I am very pleased to see that Barry Collier is with us here today in the Chamber—a great campaigner and a great local member.

In that year, 1978, the Labor Party recorded a 58 per cent primary vote—the highest primary vote of any party for 100 years. It is a reminder that despite recent disappointments at both State and Federal level, the Labor Party was and still is capable of garnering significant majority support from the community. On that point I do not subscribe to the view that the Labor Party should retreat to a small-target strategy in order to win elections. That is the *modus operandi* of our conservative opponents. Losing elections by being honest does not imply the policies are wrong. What it does imply is that we are not bringing people along with us when we prosecute a change for the better. Progress is always more difficult to explain than the status quo but that is no reason to abandon progress.

That 1978 election was also the year when for the first time the people of this State directly voted for members of this House, the New South Wales Legislative Council. In June of that year voters had approved a referendum to introduce a directly elected council. I was, of course, recently elected by that very same system by virtue of being selected number seven on the Labor ticket. I make special mention of how important that party endorsement status is and what it means for me. It is an honour that I shall forever be grateful for. The power of ALP endorsement comes from broad-based community support for a political brand that has been built up over generations of our great movement standing up for people to gain an improved standard of living and to reach their full potential irrespective of inherited socio-economic circumstances. As an elected representative of the ALP, I am very conscious of ensuring that the Labor brand name is not trashed but instead enhanced by what we do as a Labor movement. I will be standing up for the rights for working people and sticking to our principles of social justice and equality of opportunity. I thank the people of New South Wales who voted for me because they have faith that I will stay true to those Labor Party principles. I will keep the faith.

The political ideology and philosophy upon which my politics are built is social democracy and collectivism. They are the foundation upon which I ground my Labor values and my views on policy. It is why I am a unionist, a social democrat and a Labor Party member and not a conservative or a Liberal. I believe in the power of ideas to progress humanity and society and I reject the inwardness and fear of change that conservatism embodies. Over the long sweep of history, humanity inevitably and eventually tends towards progress and development. It is in our DNA. The question is how fast we can achieve that progress. That is where the battle of ideas and politics plays a crucial role.

Advancements in societies come about because groups of people wanting to progress a cause band together as a collective to prosecute a political case for change. The change is almost always resisted. Voting rights for women and our Indigenous peoples, unemployment benefits, minimum wages, universal health care, superannuation, anti-discrimination, same-sex marriage—to name a few—were all resisted at first as

unaffordable, unnecessary or a threat to society. It is only when these things are pushed into the political arena by activists and debated by politicians that we move forward.

Climate change is the latest emblematic example of such an issue. Australia could and should be leading the world in renewable energy by now, with renewed economic growth and jobs incubated by government and private investment in new technology. Instead, we languish, caught up in a combination of conservative fear of change and naked self-interest. How fast we can deal with this issue and the opportunity it presents depends not on the conservatives but on how active we are as progressives in prosecuting the case for change. The longer we fail to convince people, the more it costs our future. No matter what talents we possess or how inherently gifted we might think we are as individuals, there is little we achieve without being part of a broader collective and cooperative effort. The essence of living a good life lies in the self-realisation that our true human nature comes from the power of collectivism and cooperation. Numerous people, many of whom are in this room, have collectively hoisted me up onto the Labor ticket and into this House. I want to make specific mention of some of them.

My political activism started in 1993 when I joined the ALP and handed out during that memorable Federal election when Paul Keating won the sweetest victory of all. My cousin and friend Jason Marks, who was a member of the Miranda branch and is here with us today, encouraged me to join that branch the same year. I thank Jason for that—at least, I think I do. My political mentors and advocates traverse factional divides that might surprise some, depending on how well you know me. I have been around the movement long enough to know that no one person or faction has a monopoly on intelligence. The best political outcomes are distilled by listening to what people have to say from a wide range of perspectives—including, I might say, our political opponents—and then concluding policy based on what makes sense within the guiding parameters of my Labor principles.

During my long political apprenticeship I have been fortunate to have Titans of the Labor movement who have seen it all take me under their wing. Arthur Gietzelt, who is no longer with us, is one of those, as is my great friend Gary Punch, whom my wife refers to as "Charlie" from *Charlie's Angels*, because I am constantly on the phone to him seeking counsel, with only rare sightings. Gary has been my closest confidant, mentor and strongest advocate. Gary, I hope you know how grateful I am for your friendship. Graham Richardson and my now colleague the Hon. Peter Primrose have been political father figures to me and consistently supported my ascension to political office.

Despite their differences the people I have mentioned have an abiding and common goal: to see Labor governments elected at all costs because they genuinely believe in Labor as the only practical vehicle for social improvement. I thank them from the bottom of my heart. There is scarcely a more difficult role in politics than General Secretary of NSW Labor. The person in that role must manage hundreds of political and industrial agendas, personalities and stakeholders and mould them into a cohesive whole, which manifests itself in the political machine that is NSW Labor. Since joining the party in 1993 I have not seen a more hardworking, dedicated and accessible General Secretary than Kaila Murnain. She is committed to opening up the party and making it more democratic. She has been a good friend and I thank her for her support. I also thank and acknowledge the presence of Mark Lennon, NSW Labor President.

I also want to thank the many rank and file ALP members and party representatives too numerous to mention here, who I have worked with over the last 26 years, particularly in the Sutherland Shire and St George area, and for the support and friendship that colleagues have provided—in particular, Bob Rogers, Bill Saravinovski, Sophie Cotsis, Steve Kamper and Shaoquett Moselmane. I come to this place on the back of advocating a firm and fundamental principle that underlies my politics: that the bedrock of the Australian Labor Party is the union movement and the values it stands for. Those are the same values I referred to previously: social progress, solidarity, collectivism and cooperation.

In 1982 at 15 years of age I began an electrical apprenticeship with the then Sydney County Council. I worked as an electrician with them for 30 years. My first act was to become a member of the Electrical Trades Union [ETU], of which I have remained a member ever since. I recall in those early years meeting a fourth-year apprentice at the Miranda substation branch by the name of Bernie Riordan. Bernie seemed to vanish from the workplace as quickly as he appeared. When I asked what had happened to him, I was told he had left to gain a degree in industrial relations. It dawned on me years later—once I had come to terms with the fact that my utopian youth, which largely consisted of surfing and drinking, was over—that had I better allocated my time I might also have risen to the loftier heights of Secretary of the ETU and President of the ALP. In any case, I am grateful to have been in Bernie's orbit and lucky to have had his friendship and support.

During my working career both at Ausgrid and the ETU I have been fortunate enough to have many loyal friends and supporters in the workplace and at the industrial coalface. I want to thank all ETU members, delegates and officials, especially Col Harris, Graeme Paterson, Phil Oswald, Anthony O'Sullivan and Joe Von Borneman,

who have all been the most solid friends and ETU colleagues I could have hoped for. To get the endorsement by the ALP for a seat in Parliament is not a cakewalk. It is a competitive process and requires more than a modicum of strategy and political nous. In this respect I want to make special mention of my good friend and ETU colleague Paul Lister. Pretty much from the day I became an ETU official in June 2012—notwithstanding the fact he thought I was mad for wanting to go into politics—he has prosecuted my case with a single-minded obsession that at times exceeded my own. Many of you will appreciate that that is saying something! Paul has one of the sharpest political minds I have come across and I value his friendship, advocacy, support and advice.

I want to make special mention of my great friend and now colleague Adam Searle, Leader of the Opposition in this House. Adam is a constant source of calm, considered, rational advice based on a very thoughtful and considered analysis of the situation at hand. He is a loyal and good friend and an invaluable asset to the ALP in this place on policy, legislative reform and strategy. I also express my gratitude to former ETU secretaries Steve Butler and Dave McKinley and the current secretary, Justin Page. They were all unrelenting in their backing of me. My good mate Dave McKinley is here with us today. It was Dave who pushed the hardest of all to finally get me here, but the whole ETU contributed, and I am forever grateful. Before my recent electoral fate was known, the current ETU Secretary, Justin Page, concerned that I may miss out on a spot, immediately set himself the task of lobbying for me to get the next available ALP vacancy. This is the sort of loyalty you get when you are part of a union.

I also want to thank the assistant secretary of our union, Ben Lister, who has been a long-time colleague and friend of mine. As well, I thank the secretary of the postal division of our union, Shane Murphy; secretary of the plumbers division, Theo Samo; and assistant secretary Chris Seet—all great blokes. Once union secretaries stick, they stick. I want to express my gratitude for the key role other unions played in advocating my place on the ALP ticket—in particular, Graeme Kelly, Gerard Hayes, Alex Claassens, Bernie Smith, Tony Sheldon, Richard Olsen, Daniel Walton, Misha Zelinsky, Tara Moriarty, Barbara Neibart, Bob Nanva and Martin Cartwright. I also want to thank Mark Morey, Secretary of Unions NSW, who advocated a collective position of unions around me. I also want to acknowledge two of the most solid trade unionists you will find and who I would trust with my life—Paul Reid from the United Services Union and Mary Yaager from Unions NSW.

Most people do not see the workload, stress and responsibility involved in being a union official, let alone running a union. Union officials make a significant and important contribution to society by having a very tangible and practical effect on the improvement of people's lives in the workplace. It is nothing short of a disgrace that our political opponents use the power of government to deliberately besmirch the character and the role that union officials play by attacking unions through the establishment of political witch-hunt bodies like the Australian Building and Construction Commission and the Registered Organisations Commission. They wish to do this because, despite their electoral rhetoric, they are fundamentally anti-worker and anti-union. They do not acknowledge or understand that if it were not for unions and unionists this country would be a much more unfair place than it is today.

I will always support the presence of unions in the workplace and the integral role they play in the Australian Labor Party and Australian society. I do not come to this position through some misguided sentimentality for the past but because I believe the future of our Labor movement depends on strengthened relationships with the union movement. The reason for this belief is not because of the financial or human resource that the industrial wing provides for the political wing of the ALP but simply because unions understand what is going on in the lives of people on a day-to-day basis and what their concerns are.

The union movement represents some 600,000 working people in New South Wales and some 1.6 million people throughout Australia—or about 15 per cent of all employees. It is one of the single largest representative interest groups in Australian society. Much has been made in recent years of the relevance and role of the union movement in the ALP. The point has been made in relation to falling union membership. My response to this is that falling membership has made unions even more relevant than they have ever been. With fewer people being represented by unions the cause for empowering working people has become greater, not less, and should strengthen our resolve to encourage union membership. The strength and differentiation of the Labor Party from its conservative opponents lies in its ability to create a mass movement around issues that affect many working and disadvantaged people.

The representatives of this mass movement must comprise union members and ALP branch members. Policy formulation works best when structured from the ground up, by listening to the people in our movement who are grounded in reality. Working people will tell us when wages are not keeping up with cost of living pressures, when electricity prices are too high, when there is bullying in the workplace, when people are being unfairly sacked and when labour hire is being used to undermine wages and conditions—not to mention how we keep employees healthy and happy and businesses productive so that the economy works for everyone and not

just a select few. The more influence unions have and the more we listen to them, the better policy formulation we will get.

Unions also play a critical role in balancing a key power relationship—that between capital and labour. They strive to ensure that there is a fair distribution of income and wealth. They serve as a counterbalance to large employers and corporations and their attempt to have a monopoly on capital. By coming together as a cooperative and forming monopolies of labour, unions can negotiate for wages and conditions on equal terms with big business and corporations. There is no doubt that there is currently a fundamental imbalance in that power relationship. It is creating unfairness and hurting people's livelihoods. If this is not rectified it will see Australia lose its social democratic character forever. Unions must be empowered to have the capacity to represent and organise workers.

Over the past 30 years a huge realignment of industry has taken place, characterised by the disaggregation of large-scale workplaces and a proliferation of small-scale employers who are both workers and businesspeople. Whilst this has meant that unions have found it more difficult to recruit and organise members, it presents a historical opportunity for the Labor movement. Despite some excellent Labor Party policies for small businesspeople, the truth is they generally do not support the Labor Party. There is no good reason as to why this should be the case. They have more in common with our traditional constituency than the owners of big business and corporations. They work long hours for modest sums of money, they pay their fair share of tax and they contribute to employment on a large scale.

Big business is not universally bad; it has its place and it plays its role in economic growth. However, the disparity in income and wealth apportioned to this sector is hampering balanced economic growth. The power balance between unions and big business needs to be restored so that both wage earners and small businesses have a fairer share of national product distributed to them based on their contribution to the economy. This is critical to a buoyant economy because purchasing power spread over the masses creates demand in the economy for goods and services and, in turn, employment growth. The ALP can and should represent the interests of both working people and small businesspeople because they are increasingly becoming one and the same constituency. Unions can play a critical role in binding these two constituencies together by representing both.

In recent decades governments have sold us the myth that privatisation of public assets would liberate funds for public infrastructure, create competition and lower prices. The truth is that the opposite has happened. With each State asset that has been progressively sold—telecommunications, desalination plants, ports, power stations, electricity distribution networks, water utilities, toll roads, buses and the Land Titles Office—consumers have seen prices rise with less reliability. Publicly owned not-for-profit monopolies are simply appropriated into private hands for profit. The result has been greatly reduced accountability to the consumer. The proceeds from these fire sales are often squandered on white elephants like Sydney's notorious light rail project, with private companies gouging excessive profits with little or no return to the public.

Functioning and competitive markets can and do play a crucial role in delivering a wide range of cost-effective goods and services to masses of people. Government should provide appropriate parameters within which the operation of such markets can occur. There are some who believe—misguidedly—that free and competitive markets can be created in every corner of the economy. Others simply cynically use this free market theory as a front for appropriating wealth from public to private hands because it suits their interests. In large part it has been the latter that has been the motivation and result of privatisation.

The reality is that not all markets are amenable to competition and, furthermore, some goods and services such as education and health should never be given over for private profit because the profit motive is inimical to equitable access and comprehensive quality provision. The deregulation and privatisation of vocational education and the gutting of our TAFE system exemplify how badly this can turn out when worship of the market for provision of everything is prioritised over the public good. One of the main tasks of Labor governments is to ensure a balanced and mixed economy is maintained—one where the private sector operates in markets that are conducive to real competition, where goods and services are provided at competitive prices.

In markets that are not conducive to competition such as natural monopolies like electricity, water and rail, government can and should own them. Similarly, where the provision of goods and services that are essential for equality of opportunity in life, such as health and education, would be deficient by way of privatisation, government should step in to ensure adequate provision happens. Let us not be fooled by the neoliberal falsehood that the market can adequately provide for everything. It is a smokescreen for the private provision of self-interest.

After health there is scarcely a more important human benefit than education. Properly invested in, it can lift the horizons and capacity of human existence and the progress of nations. There are two glaring defects in our education system which I believe diminish our democracy. Voting is compulsory but understanding our political system is voluntary. Citizens are compelled to participate in our democracy by exercising their vote, but there is little effort to educate them on both the mechanics of our voting systems and equipping them with the knowledge

for coming to an informed decision on that vote. The rate of informal voting at recent elections has become so high that had people exercised a formal vote it may have changed the result. The situation is unacceptable.

Currently our education system does not provide adequate knowledge and emphasis on how the various voting systems around the country function at both the State and Federal levels. Nor does it provide an adequate historical analysis of how the various parties and underlying ideologies evolved or what they stand for. If we can all agree on the view that the best ideas should win through to policy, then it follows that people need to have the knowledge to determine what the best ideas are. We should strive for a more informed society which makes better decisions about our future. Our education system should not just produce qualifications for jobs but also produce thoughtful citizens who care about their country and the world around them. We should include in our formal education a comprehensive study of civics, humanities and politics.

I want to conclude by thanking my family: my mum and dad, Carmen and Victor; sister Fiona; brother-in-law Craig and nephews Lawrence, Hennessy and Louis, all of whom are here; and our godson James, who is also here. I love them all very much. Mum and dad, you gave your children the biggest start in life we could ever have hoped for—unconditional love and freedom and a rock solid platform of self-esteem and confidence which we will carry with us forever. I express my love and gratitude for my other family in Greece: my father-in-law, Gerasimos, who is a councillor in Athens for the Greek centre left party; my mum-in-law, Eleni; and sisters-in-law Lina, Emmanouela and Alexandra, and my nephew, Panos, always encouraging us and urging us on with love and support.

Last and most importantly, I express my admiration, love and thanks for the luck I have had with my beautiful wife and life partner, Anna, always by my side. People in this room who know Anna understand I would not be here without her. It is not a case of her supporting me, it is a case of her leading me and driving me along. Her insights into human behaviour, which often wake me up from my childish naiveté, are invaluable. More than all this, she is selfless in her love and nurturing of our son, Gerard, and me. With that foundation, everything else in life is simply a bonus, welcome as it is.

I am a lapsed Catholic but, as many in that boat, or should I say ark, will appreciate, it is not an easy one to disembark from. I therefore finish with a quote from the great British economist John Maynard Keynes; it has always resonated with me. Keynes said:

We are not the trustees of civilization but of the possibility of civilization ... like *Le jongleur de Notre Dame*, we must make sure we juggle for great purposes.

He was referring to the French story of *The Juggler of Notre Dame*. A juggler, unsure how to impress Our Lady Mother Mary, decided to do what he knew best and proceeded to juggle furiously in front of a statue of Mary in the Notre Dame Cathedral. After hours of juggling he collapsed, exhausted. The statue came to life, walked over to the juggler and wiped his brow in acknowledgement. Despite the uphill battle for social progress and the sometimes seemingly insurmountable challenges it poses, the people of New South Wales have elected me to this place to juggle for great purposes. I intend to do so.

Bills

CRIMES (ADMINISTRATION OF SENTENCES) AMENDMENT (INMATE BEHAVIOUR) BILL 2019

First Reading

Bill received from the Legislative Assembly, and read a first time and ordered to be printed on motion by the Hon. Don Harwin.

The Hon. DON HARWIN: According to sessional order, I declare the bill to be an urgent bill.

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

Declaration of urgency agreed to.

The Hon. DON HARWIN: I move:

That the second reading of the bill stand an order of the day for a future day.

Motion agreed to.

Adjournment Debate

ADJOURNMENT

The Hon. DON HARWIN: I move:

That this House do now adjourn.

SELECTIVE SCHOOLS

The Hon. SCOTT FARLOW (18:38): I congratulate both the Premier, the Hon. Gladys Berejiklian, and the Minister for Education, the Hon. Sarah Mitchell, on the announcement of a new selective school for south-west Sydney. This evening I reinforce my commitment to accelerate students' literacy, numeracy and wellbeing throughout our schools in New South Wales. Like so many across New South Wales, I am a product of a selective school education. My alma mater, Sydney Technical High School, allowed me to achieve academic excellence and provided an opportunity. As President George Herbert Walker Bush said, "Education is an opportunity and it is a ticket out of poverty for so many".

Attending a selective high school, I met people from all walks of life. I travelled over an hour to get to school but there were people who travelled much further. There were people who travelled from Canley Vale on a train for an hour and a half. There were people who travelled from the Central Coast for two hours. They travelled for the opportunity that education provides. The Government has always placed the ambition of every parent and the opportunity for their children at the forefront of its education policies. A new selective school in the south-west of Sydney will elevate and provide further options for families in key growth areas such as Camden, Macarthur, Campbelltown and further. From my experience of going to a school in the St George region, I know people will be drawn to this school from across the State.

There is strong demand for selective schools, with around 15,000 applications for only 4,200 places across the State. Of course this is right because it should be a selective process. This school provides another convenient local option for these students and for their families. Academics who have studied the benefits of selective schooling, such as Dr Jae Jung, a senior lecturer in the University of New South Wales' School of Education and a lead researcher of gifted education, have welcomed the Government's investment in our education system. Dr Jung, who has published numerous articles and research papers in the field of decision-making of adolescents and gifted adolescents on topics such as careers, university entrance and friendships, has outlined the significant benefits of selective schools for pupils.

Findings from the United Kingdom's Higher Education Policy Institute report titled *The Impact of Selective Secondary Education on Progression to Higher Education* suggest that the United Kingdom's equivalent to selective schools, that is, grammar schools—of which the current Prime Minister, for the time being, Theresa May, is a graduate—improved the likelihood of students from the bottom two quintiles of social disadvantage, as well as black and minority ethnic pupils, to progress into highly selective universities. The report's author, Iain Mansfeld, a former senior civil servant, noted that 45 per cent of pupils across the 163 grammar schools in England come from households with a below median income.

It is no surprise that selective schools have often topped the HSC results year after year for well over two decades. Looking at the 2018 HSC results, the difference a selective school makes on a child's education is visible. Four out of the top five schools in New South Wales are selective schools. The results are in and they are clear: Our investment in selective schools will benefit the community, particularly those from non-English speaking backgrounds and those from lower socio-economic groups. This investment will benefit all students and our State going forward. It is not about making sure that everyone is the same but that everyone gets the same opportunity and people from all walks of life can have the opportunity to achieve their best.

DOWN SYNDROME

The Hon. GREG DONNELLY (18:43): The term "eugenics" causes individuals to cast their minds back to organised movements and totalitarian regimes that existed in the nineteenth and twentieth centuries. Francis Galton coined the term in 1883; however, Plato reflected on the concept of selective breeding as far back as approximately 400 BC. The word is derived from the Greek "eugenes" and "genos", meaning well-born stock, race or kin. Most Australians believe that we live in a modern, enlightened society underpinned by the ethos of a fair go for all. If one were to suggest that the practice of eugenics not only existed but was flourishing in Australia today, very few people would be likely to agree. Where is it happening? Who is involved? What evidence do you have? These would be some of the questions that would be raised.

Honourable members may be aware that some countries, such as Iceland, appear to have set themselves the objective of eradicating Down syndrome from the population. As a nation, less than a handful of babies are born each year with the condition. The truth is that Iceland is not eliminating Down syndrome, it is killing everyone who has it. What is the situation in Australia? There is specific research that has been done on this issue and the findings are pretty clear. I draw to the attention of the House an article that appeared in a 2015 journal *Prenatal Diagnosis* titled "Impact of prenatal screening and diagnostic testing on trends in Down syndrome births and terminations in Western Australia 1980 to 2013". I encourage members interested in the issue to look at the research. I will not summarise the research study but will quote directly from the conclusion:

Prenatal testing in Western Australia has reduced the birth prevalence of Down syndrome despite an increased rate of Down syndrome pregnancies. Most women for whom a prenatal diagnosis of fetal Down syndrome is made chose to terminate the pregnancy (93%), and this proportion has not changed over the study period.

The figure of 93 per cent, or over nine out of 10, of pregnancies terminated where there was a prenatal diagnosis of fetal Down syndrome would suggest that, while not equal to Iceland, we have got ourselves on an Iceland-type trajectory when it comes to killing those with Down syndrome. The other point is that with the incidence of false positives, with respect to the testing being undertaken, there are perfectly healthy foetuses being aborted on the premise that they may have Down syndrome.

If what amounts to the systematic culling of foetuses that have or may have Down syndrome in Australia is not tragic enough, I draw to the attention of the House a matter that was reported in the media last Friday. The Queensland Supreme Court granted a couple an extension of time to commence legal proceedings against a Gold Coast ultrasound clinic and doctor over the failure to diagnose their unborn daughter with Down syndrome. The couple are claiming that they would not have continued with the pregnancy of their now four-year-old daughter if they had received an accurate diagnosis. The purpose of the ultrasound in August 2014 was to establish if there were any chromosomal abnormalities. It is claimed the couple were told by the sonographer and the doctor that the risk was in the low range and that no more extensive testing was necessary. The baby was born in early 2015 with Down syndrome. It is the intention of the couple to sue the clinic and the doctor over wrongful birth. The mother is also pursuing an action for personal injury.

The direct application of ever-advancing prenatal screening and diagnostic testing for fetal chromosomal and genetic conditions is producing a societal outcome that is completely undesirable. Our society—indeed, any society—is deeply impoverished if it sets out to marginalise and eliminate particular individuals because they are deemed by some to be physically or mentally less than perfectly formed. Of course, this is the underpinning ideology of the eugenics movement. Its public face and language may be softer and more subtle in 2019 in Australia but nobody should doubt its existence or modus operandi through prenatal screening and diagnostic testing.

A person with Down syndrome, or indeed any congenital condition, should never be made to feel as if they would be better off dead. This is the case for the young girl in Queensland. All people with Down syndrome, every one of them, are human beings, just like you and me. They have a body, mind and soul and they are entitled to live and flourish just like us. We all have a duty and responsibility to honour and respect this and do what we can to assist society to do the same. In doing so we must take steps to immediately and significantly improve the amount and quality of prenatal care we provide to women who receive a diagnosis of Down syndrome during their pregnancy.

SEX WORKERS

Ms ABIGAIL BOYD (18:48): Today I acknowledge the strength, dignity and resilience of the workers employed in one of the world's oldest professions. I recognise the workers—the women, the people of colour, the transgender and gender-diverse and those with diverse sexual orientations—who predominantly make up this profession and their ongoing contribution to our society. I bring awareness to the ongoing struggle that workers in this industry face for safety, respect and equality. I say loudly and clearly that sex work is work. Sunday 2 June was International Sex Workers Day. On that date in 1975, a total of 100 sex workers occupied a church in France for eight days to draw attention to and protest the appalling and unsafe conditions they were forced to endure in their workplace. In France in the 1970s excessive police pressure on sex workers forced those in the industry into increasingly unsafe work environments and into dangerous situations and agreements. This led to a sharp increase in violence, harassment, abuse and assault of the sex workers, who resisted the regressive legislation of the time.

In 1975 two sex workers were brutally murdered in their workplaces. The continued unwillingness by the local police force and the government to step in and chart a new course towards decriminalisation, justice and respect led to the sex workers of Lyon coming together and occupying a local church to bring attention to their ongoing struggle. International Sex Workers Day is celebrated annually across the globe in recognition not only of the 100 sex workers in Lyon and their stand against discrimination and the inhumane conditions they were forced to endure at work but also of the ongoing struggle of sex workers around the world.

In 2019 the struggle for equality under the law and the removal of the social stigma around sex work remains paramount. I take this opportunity to acknowledge the incredible work that organisations led by sex workers, like Scarlet Alliance and SWOP—which is the Sex Worker Outreach Project—are doing to advocate for safer working environments and workers' rights. Sex workers are rarely treated as the experts they are when it comes to their own profession and industry. This leads to decisions being made for rather than by them, with policies that endanger and injure sex workers being the ultimate result.

For example, in New South Wales an estimated 10,000 sex workers are subject to unnecessary additional challenges compared to other workers. They face unique legislative hurdles and barriers to accessing their workplace rights and are burdened by social stigma and discrimination. Decriminalisation is the only regulatory model that supports sex workers' rights in the workplace. A decriminalised industry results in lower rates of HIV and sexually transmitted infections, amplifies opportunities for community outreach and peer education and maximises compliance with occupational health and safety standards.

In a decriminalised framework all sex work industry businesses should be governed just like any other businesses and subject to existing workplace regulatory mechanisms. Most importantly, police should not be involved as regulators of the industry in order to reduce overreach and discrimination. Other models, such as the Swedish model where the purchase of sex work is criminalised, do not increase safety and wellbeing of sex workers but rather lead to isolation, lower wellbeing and further social stigma and discrimination around sex work. The Greens will continue to strongly support the decriminalisation framework. Across the country I am proud to be a member of a party that is at the forefront of supporting and amplifying the voices of sex workers in their ongoing struggle for equality under the law. I particularly want to pay tribute to the work that South Australian Greens MLC Tammy Franks is doing to push for a model of decriminalisation for local workers in South Australia.

Today I recommit to sex workers in New South Wales that The Greens will continue to campaign so that sex workers' voices are heard and acknowledged when it comes to the development and review of policies and laws that impact on the sex industry and that they always have a seat at the table. The only way for us to create effective legislation is to listen to and learn from those with direct sex work experience. We must strengthen industrial rights and ensure safe working conditions of sex workers, end discrimination by including sex work in the Anti-Discrimination Act, support community outreach and peer education and listen, acknowledge and respect sex workers. There is so much more to do; let's get it done.

TAMWORTH HIGH SCHOOL

The Hon. TREVOR KHAN (18:52): I wish to speak about the issue of a school in my local area. In my time as a lawyer I had the privilege of attending the school to adjudicate debates and to assist students in debate preparation. While it is near to where I live in Tamworth, it is not the school my children attended as they were already enrolled at another high school, the Oxley High School, before my wife and I moved to our current address. The high school I wish to speak of is Tamworth High School.

Until the late 1960s Tamworth High School was the only State high school in Tamworth. It had a prodigious reputation academically and on sporting fields, particularly in rugby league but also in field hockey and water polo. A number of friends that I attended university with had attended that high school and all spoke with warmth and pride of their time there. In 1968 Oxley High School opened and this was followed by the opening in 1976 of Peel High School. The opening of those two high schools had a profound effect upon Tamworth High School and, indeed, sadly led to a substantial diversion of resources away from it. This Government—my Government, the Liberal-Nationals Government—has attempted to remedy that shortfall.

Since 2011 more than \$2.88 million has been spent at Tamworth High School on maintenance. The capital allocation and expenditure has been in the vicinity of \$5.22 million. As part of this funding significant integration work has taken place to allow the school to cater for students with special needs. A new lift, accessible toilets, ramps and linkways have been provided. In addition, roofs have been replaced where needed and other buildings have had their roofs and guttering replaced. The school's lighting has been upgraded to make it more environmentally friendly, providing savings on energy consumption and cost. All works carried out at the school are based on school priorities that were identified in consultation with the principal. This is also the case for maintenance completed, including general repairs as needed, the painting of internal and external surfaces, the repair of trip hazards and the replacement of pavements.

The school is now going through what could be called a renaissance. It retains a strong focus on the creative arts, with a very successful dance, music and arts program. Under the direction of Principal Daniel Wilson, the school is focused on improving student learning opportunities and outcomes. I am told he has enunciated a focus on placing students first, which is placing high expectations on staff performance. Additionally, the school plan emphasises evidence-based teaching and learning strategies. This is what we should expect from our principals. Students in rural and regional areas face enough challenges. We must support principals and teachers who aim to provide the best and most productive learning environments for their students.

It was the current State Government that first backed the Gonski plan and my party, The Nationals, enthusiastically backed the substantial spending initiatives that have placed public education front and centre. I know the current education Minister, the Hon. Sarah Mitchell, shares the same passion as her predecessors, Adrian Piccoli and Rob Stokes. I believe this Government has moved the issue of public education from being a

political football to one where largely there has been political bipartisanship in this State. I hope all members in this place, old and new, join that bipartisan approach.

OFFICE OF LOCAL GOVERNMENT

The Hon. PETER PRIMROSE (18:56): Earlier today in the Legislative Assembly the Minister for Local Government sought to admonish me about a couple of statements I had made in relation to the Office of Local Government. The Minister advised the other place that statements I had made that the Office of Local Government had been abolished or was to be abolished by this Government were wrong. The Minister also said that that statement had upset members of the public service in that office. The Minister then invited me to come down to Nowra and apologise to those members of the public service.

I refer to a document, the author of which is the Hon. Gladys Berejiklian, Premier. The document is entitled "Administrative Arrangements (Administrative Changes—Public Service Agencies) Order 2019". Obviously it has been given the appropriate legislative backing by His Excellency David Hurley, the then Governor. The order is dated 2 April 2019. The page headed "Contents" has item No. 13, "Abolition of Office of Local Government" on page 9. Item No. 2—"Commencement"—states:

This Order commences on 1 July 2019 and is required to be published on the NSW legislation website.

Obviously it is not a secret document. Any member of the Executive Government—presumably the Minister for Local Government—would have access to it. Item No. 13, "Abolition of Office of Local Government" on page 9 states:

- (1) The persons employed in the Office of Local Government are transferred to the Department of Planning and Industry.
- (2) The Office of Local Government is abolished.

They are not my words. In fact, it is a decision that has been recommended to the Governor by the Premier, the Hon. Gladys Berejiklian, and accepted by His Excellency. It is the law in New South Wales.

I would have expected that the Minister for Local Government, before making a statement suggesting that I was misleading, would have at least been aware of an administrative order by her own government about her own department. There are many traditions about what should occur if a Minister misleads a House in relation to a matter. I am not calling for anything in relation to that; others may choose to do so. But at the very least I would expect the Minister to apologise to the House, to make it clear that the statements that I have made in fact are correct and that she, to put it kindly, misunderstood; that her agency is being abolished, as I have stated, on 1 July and I will take her up on the offer publicly. I am very happy to take her up on the offer, meet with the staff of the soon-to-be abolished Office of Local Government, talk with those staff, see what their future is and how they are going to perform their duties when they become part of a monolithic Department of Planning.

It beggars belief that a Minister for Local Government would stand up in the other House at the end of a second reading speech on a bill and seek to admonish me and criticise me for raising the fact that her own department has been abolished and she had no idea that that was occurring. Minister, it is your government, it is your agency. Read through the administrative orders, apologise and set the record straight in the other House. I am not asking for an apology to me. I am simply suggesting that the right thing to do is to apologise to other members of the Legislative Assembly.

PILL TESTING

Ms CATE FAEHRMANN (19:01): Since the last Parliament we have lost five lives in New South Wales to suspected drug overdoses at music festivals. In response the Premier said she had no evidence before her to prove that pill testing worked and ruled out a trial. I thought I would go and find the evidence myself. Last month I travelled to Portugal to see firsthand that country's groundbreaking approach to drugs. In Lisbon I met with the Head of Criminal Investigations for Lisbon Police, Fabio Carreto, who told me that when people who use drugs are treated as criminals the judicial system falls over. Nuno Capaz, from the Dissuasion Commission, the agency within the Ministry of Health that processes those found by the police to be using illicit drugs, knows what happens too. People do not stop taking drugs, but more die from avoidable overdoses and infections like HIV because that is what was happening in the 1980s and 1990s in Lisbon with dozens of people openly shooting up heroin in neighbourhood streets. I was shown footage and it looked like a war zone.

At the height of Portugal's drug crisis, one in 100 people were heroin addicts. No family was untouched by drugs and drug addiction rated as the number one problem in the polls. It was plain for all to see that trying to stop illicit drug use was futile and that government policy which treated drug users as criminals was clogging the courts and killing people. So after an 18-month process in the late 1990s to come up with a different approach, led by health and justice experts with a huge amount of community consultation, including public forums and televised debates, recommendations were made to the government centring around one core theme—that all drugs

should be decriminalised. These recommendations were accepted. They changed the country and saved thousands of lives. The focus of the police is now on the big drug traffickers and dealers and on tackling other crimes, like domestic violence. Social and health services have been given more resources to ensure people who are addicted are given treatment when they need it.

Fabio Carreto told me that 90 per cent of people who use illicit drugs use them recreationally and will not become addicted. But roughly one in 10 will and in Portugal they are able to access free treatment when they need it. I visited a mobile methadone van in Lisbon, one of several operating in the city every single day of the year. People who use drugs are not stigmatised and do not get criminal records; they are given support. People are not harassed on the streets or at festivals or clubs by police in an effort to catch drugs users. And the country and all sides of politics have been united behind their decriminalisation model for almost two decades now. Commander Carreto said:

We are happy with the system because we are helping to solve the problem. Before 2001 we didn't solve the problem.

While I was there I also attended the Harm Reduction International Conference in Porto. I heard about mobile and community drug checking facilities in the Netherlands, France, Canada, Colombia and the Ukraine and the mobile drug consumption rooms, including clean needles and syringes for injecting drug users, provided by non-government organisations in Toronto. I heard from European experts about the futility of trying to keep abreast of illicit drugs with more synthetic drugs like spices and salts so easily obtained on the dark web, particularly by young women.

Commander of the Porto police, Fernando Pauli, told the conference that in Portugal by the age of 21, 41 per cent of people have admitted to trying an illegal substance, mostly cannabis. In Portugal, though, they understand the difference between addicts and recreational drug users. They know that targeting recreational drug users is a waste of police resources because you are never going to stop people doing it. Roughly the same number of people per capita use drugs in Portugal and in Australia but we spend more than \$1 billion each year waging this morally charged war against people who use certain drugs. However, people who are addicted and urgently need treatment cannot get it for many months. When are we going to wake up?

We will never stop people from taking mind-altering substances because it would appear it is well and truly part of the human condition. Humans have been taking substances to relax, to feel good, to have fun, to experiment, to numb their pain or to connect with a higher consciousness for thousands of years. In other words, the vast majority of people take illicit drugs for some form of pleasure. Many millions of Australians have done that. That is the uncomfortable truth. When overzealous governments have responded to a drug problem by banning, it has never worked—ever. Prohibition of alcohol just drove sales and consumption spectacularly underground but it did not stop people drinking alcohol, just like sniffer dogs and over-policing at music festivals have gone nowhere to stopping drugs like ecstasy being consumed at them. As Commander Pauli from Portugal told me, the police must be part of the solution, not part of the problem. It is beyond time we ended the war on drugs.

FARHUD COMMEMORATION

The Hon. WALT SECORD (19:06): As the Deputy Chair of the NSW Parliamentary Friends of Israel I speak on the Sydney Sephardi Jewish community's commemoration of the Farhud on 2 June. It is part of a welcome development in recent years to mark significant events involving the Sephardi and Mizrahi community and their history. In 2015 the NSW Jewish Board of Deputies and the Sephardi community marked Farhud jointly for the first time and in 2020 the Sydney Jewish Museum is planning an exhibition on Jews from Arab lands. While I have some knowledge of the Sephardi community, which stretches back to the 1980s when I was a journalist at *The Australian Jewish News* and my visits to Israel, I concede that I am more familiar with the Shoah and the destruction of European Jewry. However, I have become increasingly aware of the horrific events of 1941 and the expulsion of the Jewish community from Arab lands after the establishment of the State of Israel.

The Farhud was a pogrom in Iraq on 1 and 2 June 1941 and the phrase was coined by the Iraqi Kurdish population. It means "violent dispossession", referring to the attacks on the Jewish community in Baghdad. Conservative estimates put the number of those murdered around 178, including 142 in Baghdad alone in the pogrom. Looting of Jewish property took place; 900 Jewish homes were destroyed and there were also rapes. A synagogue was invaded and its *Torahs* burned. People were afraid to give the dead a proper burial and the corpses were buried in a mass grave. The Farhud was an extraordinary development in the history of Iraq as there has been a Jewish presence there for more than 2,600 years, dating back to the destruction of the first temple in 586 BCE. At the beginning of the twentieth century the Jewish population of Iraq was estimated to be around 250,000, although it had decreased to 150,000 by the middle of the century.

From 1950 to 1952 up to 130,000 Jews were airlifted out of Iraq to Israel. They faced much discrimination, persecution and anti-Semitism after the establishment of the State of Israel and most were forced

to flee from Iraq. The Sydney commemoration was a solemn and dignified affair. I congratulate the Sephardi community and its president, Mr Shaul Meir Ezekiel, on organising the event. The Sydney Sephardi community spiritual leader, Rabbi Michael Chriqui, read a psalm. One of the other highlights was chatting and meeting the award-winning British-Bukharan Jewish poet, translator and barrister, Yvonne Green, who read from her work, *The Farhud*. The poem was commissioned for the seventy-fifth anniversary of the Farhud and was recited in the Israeli Knesset when it commemorated it. Finally, I look forward to accepting the invitation from Mr Shaul Meir Ezekiel to visit the Sephardi Synagogue at Bondi Junction in the near future. I thank the House for its consideration.

The PRESIDENT: The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 19:09 until Wednesday 5 June 2019 at 11:00.