



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Seventh Parliament
First Session**

Tuesday, 15 October 2019

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Tuesday, 15 October 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.

Governor

ADMINISTRATION OF THE GOVERNMENT

The PRESIDENT: I report receipt of a message regarding the administration of the Government.

Bills

REPRODUCTIVE HEALTH CARE REFORM BILL 2019

Assent

The PRESIDENT: I report receipt of a message from the Governor notifying Her Excellency's assent to the bill.

REPRODUCTIVE HEALTH CARE REFORM BILL 2019

Protest

The PRESIDENT: I report receipt of the following communication from the Official Secretary to Her Excellency the Governor of New South Wales:

GOVERNMENT HOUSE
SYDNEY

Wednesday, 2 October, 2019
The Clerk of the Parliaments

Dear Mr Blunt,

I write at Her Excellency's command, to acknowledge receipt of the Protest made on 26 September 2019, under Standing Order 161 of the Legislative Council, against the Bill introduced as the "Reproductive Health Care Reform Bill 2019" that was amended so as to change the title to the "Abortion Law Reform Bill 2019" by the following honourable members of the Legislative Council, namely:

- The Hon. Rodney Roberts, MLC
- The Hon. Mark Banasiak, MLC
- The Hon. Louis Amato, MLC
- The Hon. Courtney Houssos, MLC
- The Hon. Gregory Donnelly, MLC
- The Hon. Reverend Frederick Nile, MLC
- The Hon. Shaoquett Moselmane, MLC
- The Hon. Robert Borsak, MLC
- The Hon. Matthew Mason-Cox, MLC
- The Hon. Mark Latham, MLC

I advise that Her Excellency the Governor notes the protest by the honourable members.

Yours sincerely,

Michael Miller, RFD
Official Secretary to the Governor of New South Wales

Documents

PARLIAMENTARY ETHICS ADVISER

Reports

The PRESIDENT: According to the terms of the agreement made with the Clerk of the Parliaments and the Clerk of the Legislative Assembly, I table the annual report of the Parliamentary Ethics Adviser for year ended 30 June 2019.

*Visitors***VISITORS**

The PRESIDENT: On behalf of members I welcome into the public gallery Mr Steve Coleman, Chief Executive Officer of the RSPCA (NSW), accompanied by a director of the board, Mr Brian Pickup, and major donors and supporters of the RSPCA (NSW).

*Documents***PARLIAMENTARY ETHICS ADVISER****Correspondence**

The PRESIDENT: According to clause 6 of the resolution of the House relating to the Parliamentary Ethics Adviser, I table correspondence from the Parliamentary Ethics Adviser enclosing advice provided to the Hon. Niall Blair, dated 13 October 2019.

ADVOCATE FOR CHILDREN AND YOUNG PEOPLE**Reports**

The PRESIDENT: According to the Advocate for Children and Young People Act 2014, I table the annual report of the Advocate for Children and Young People for year ended 30 June 2019, received out of session and authorised to be made public on 1 October 2019.

The Hon. DON HARWIN: I move:

That the report be printed.

Motion agreed to.

REGISTER OF DISCLOSURES

The PRESIDENT: According to the Constitution (Disclosures by Members) Regulation 1983, I table a copy of the Register of Disclosures by Members of the Legislative Council for the period 1 July 2018 to 30 June 2019, furnished to me by the Clerk.

The Hon. DON HARWIN: I move:

That the document be printed.

Motion agreed to.

*Committees***STANDING COMMITTEE ON SOCIAL ISSUES****Reference**

The Hon. SHAYNE MALLARD (14:36): I move:

1. That with reference to the May 2018 report of ACON *In Pursuit of Truth & Justice* and the progress made by NSW Police through Strike Force Parrabell, the Standing Committee on Social Issues inquire into and report on the response to gay and transgender hate crimes between 1970 and 2010 and current developments in policy and practice in relation to such crimes, and in particular:
 - (a) the violent crimes committed in New South Wales between 1970 and 2010 where the victim of that crime was a member of the LGBTIQ community and where the relevant crime was the subject of a report to the NSW Police Force, including:
 - (i) whether there existed impediments within the criminal justice system that impacted the protection of LGBTIQ people in New South Wales and the delivery of justice to victims of LGBTIQ hate crimes and their families, with reference to case studies of particular matters including but not limited to Alan Rosendale, Scott Johnson, John Russell and Ross Warren; and
 - (ii) to the extent that past impediments are identified, how effectively these have been addressed by current policy and practice.
 - (b) in relation to LGBTIQ hate crimes more generally:
 - (i) what role the so-called "gay panic" defence played in the culture of LGBTIQ hate crimes between 1970 and 2010; and
 - (ii) how the so-called "gay panic" defence impacted the delivery of justice and the treatment of gay men during LGBTIQ hate crime investigations and court proceedings.
 - (c) any other related matter.

2. That the minutes of proceedings, evidence, all papers, documents, reports and records received by the Standing Committee on Social Issues during its inquiry into gay and transgender hate crimes between 1970 and 2010 in the previous parliament, be referred to the Standing Committee on Social Issues.

Motion agreed to.

Documents

TABLED PAPERS NOT ORDERED TO BE PRINTED

The Hon. SCOTT FARLOW: According to Standing Order 59, I table a list of all papers tabled and not ordered to be printed since 17 September 2019.

Committees

LEGISLATION REVIEW COMMITTEE

Reports

The Hon. TREVOR KHAN (14:37): I table the report of the Legislation Review Committee entitled *Legislation Review Digest No. 6/57*, dated 15 October 2019. I move:

That the report be printed.

Motion agreed to.

SELECTION OF BILLS COMMITTEE

Reports

The Hon. NATASHA MACLAREN-JONES (14:37): I table report No. 25 of the Selection of Bills Committee, dated 15 October 2019. I move:

That the report be printed.

Motion agreed to.

The Hon. NATASHA MACLAREN-JONES: I move:

I move, according to paragraph 4 (1) of the resolution establishing the Selection of Bills Committee:

1. That:
 - (a) the provisions of the Road Transport Amendment (Mobile Phone Detection) Bill 2019 be referred to the Portfolio Committee No. 5 - Legal Affairs for inquiry and report;
 - (b) the bill be referred to the committee upon receipt of the message on the bill from the Legislative Assembly;
 - (c) that the committee report by Tuesday 12 November 2019; and
 - (d) on the report being tabled, a motion may be moved immediately for the first reading and printing of the bill and that the bill proceed through all remaining stages according to standing and sessional orders.
2. That the Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019 not be referred to a standing committee for inquiry and report this day.

Motion agreed to.

PRIVILEGES COMMITTEE

Reports

The Hon. PETER PRIMROSE: I table report No. 77 of the Privileges Committee entitled *Citizen's Right of Reply (Mr Garry Burns)*, dated October 2019. I move:

That the report be printed.

Motion agreed to.

Reports

The Hon. PETER PRIMROSE: I table report No. 78 of the Privileges Committee entitled *Citizen's Right of Reply (Mr Michael Eberand)*, dated October 2019. I move:

That the report be printed.

Motion agreed to.

*Documents***AUDITOR-GENERAL****Reports**

The CLERK: According to the Annual Reports (Statutory Bodies) Act 1984, I announce receipt of a report of the Auditor-General entitled *Audit Office Annual Report 2018-19*, for the year ended 30 June 2019.

TREASURY**Reports**

The CLERK: According to the Public Finance and Audit Act 1983, I announce receipt of a report from NSW Treasury entitled *Report on State Finances 2018-2019* incorporating the Consolidated Financial Statements of the New South Wales General Government and Total State Sectors, for the year ended 30 June 2019.

AUDITOR-GENERAL**Reports**

The CLERK: According to the Public Finance and Audit Act 1983, I announce receipt of a financial audit report of the Auditor-General entitled *Report on State Finances 2019*, dated October 2019, received out of session and authorised to be printed on 10 October 2019.

*Committees***JOINT SELECT COMMITTEE ON SYDNEY'S NIGHT TIME ECONOMY****Reports**

The CLERK: According to standing order, I announce receipt of report No. 1/57 of the Joint Select Committee on Sydney's Night Time Economy entitled *Sydney's night time economy*, dated September 2019, received out of session and authorised to be printed on 30 September 2019.

The Hon. NATALIE WARD (14:41): I move:

That the House take note of the report.

Debate adjourned.

*Documents***SCHOOLS ASBESTOS MANAGEMENT PLAN****Return to Order**

The CLERK: According to the resolution of the House of 26 September 2019, I table documents relating to an order for papers regarding asbestos in public schools, received on 3 October 2019 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of the documents.

NATIVE VEGETATION CODE REVIEW**Return to Order**

The CLERK: According to the resolution of the House of 26 September 2019, I table correspondence received on 10 October 2019 from the Secretary of the Department of Premier and Cabinet relating to an order for papers regarding the Native Vegetation Code Review, stating that the relevant offices and departments hold no documents covered by the terms of the resolution and lawfully required to be provided.

LANDCOM**Report of Independent Legal Arbiter**

The CLERK: I announce receipt of a report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, QC, entitled *Part 2: Landcom return of papers*, dated 2 October 2019, on the validity of a claim of privilege on documents lodged with the Clerk relating to Landcom. The report is available for inspection by members of the Legislative Council only.

MEMBER FOR DRUMMOYNE**Dispute of Claim of Privilege**

The PRESIDENT: I report to the House that the Clerk received correspondence disputing the validity of a claim of privilege on documents lodged with the Clerk on 26 September 2019 relating to the disclosures of Minister Sidoti under the ministerial code of conduct as follows:

1. Correspondence from Mr Shoebridge, dated 27 September 2019.
2. Correspondence from Mr Searle, dated 1 October 2019.

Pursuant to standing orders, a retired Supreme Court judge, the Hon. Keith Mason, AC, QC, was appointed as an Independent Legal Arbitrator to evaluate and report as to the validity of the claim of privilege. The Clerk has released the disputed documents to the Hon. Keith Mason for evaluation and report.

*Irregular Petitions***LEPPINGTON STATION COMMUTER CAR PARKING**

The Hon. MARK LATHAM: I move:

That standing and sessional orders be suspended to allow the presentation of an irregular petition from 710 citizens of New South Wales concerning the lack of adequate car parking facilities at Leppington station and requesting the release of the \$9 million in funding promised before the March 2019 election to fast-track the construction of additional car parking at Leppington station.

Petition received.

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

The Hon. SARAH MITCHELL: I move:

That government business notice of motion No. 1 be postponed until the next sitting day.

Motion agreed to.

The Hon. DON HARWIN: I move:

That government business orders of the day Nos 1 to 4 be postponed until a later hour of the sitting.

Motion agreed to.

*Committees***PORTFOLIO COMMITTEE NO. 4 - INDUSTRY****Reference**

The Hon. MARK BANASIAK: I inform the House that in accordance with paragraph 2 (b) of the resolution of the House establishing the portfolio committees, Portfolio Committee No. 4 - Industry resolved on 3 October 2019 to adopt the following reference:

1. That Portfolio Committee No. 4 - Industry inquire into and report on the implementation of the recommendations contained in the NSW Chief Scientist's *Independent Review of Coal Seam Gas Activities in New South Wales*, and in particular:
 - (a) the status of the implementation of the recommendations;
 - (b) the effectiveness of the implementation of the recommendations and whether or not there are gaps in implementation;
 - (c) whether any other inquiry findings or other major reports relating to unconventional gas in Australia or the east coast gas market published since the release of the Chief Scientist's recommendations are relevant to the suitability or effectiveness of the Chief Scientist's recommendations; and
 - (d) any other related matters.
2. That the committee report by Friday 20 December 2019.

PUBLIC WORKS COMMITTEE**Reference**

The Hon. DANIEL MOOKHEY: I inform the House that in accordance with paragraph 4 (b) of the resolution of the House establishing the Public Works Committee, the committee resolved on 1 October 2019 to adopt the following reference:

1. That the Public Works Committee inquire into and report on the costs for remediation of coal ash repositories in New South Wales, and in particular:
 - (a) prospective or current quantum of government liability for remediating contamination at sites associated with:
 - (i) Mount Piper Power Station;
 - (ii) Bayswater Power Station;
 - (iii) Liddell Power Station;
 - (iv) Vales Point Power Station;
 - (v) Eraring Power Station; and
 - (vi) any other relevant power station.
 - (b) prospective timing of government expenditure in relation to remediation at those sites;
 - (c) economic and employment opportunities associated with coal ash re-use, site remediation and repurposing of land;
 - (d) adequacy and effectiveness of the current regulatory regime for ensuring best practice remediation of coal ash repositories;
 - (e) mitigation of actual or perceived conflict of interest arising from the State having ongoing liability for remediation costs, the quantum of which will be impacted by government policy and regulatory action;
 - (f) risks and liabilities associated with inadequate remediation including community and environmental health impacts; and
 - (g) any other related matter.
2. That the committee report by 1 July 2020.

PUBLIC ACCOUNTABILITY COMMITTEE

Extension of Reporting Date

Mr DAVID SHOEBRIDGE: I inform the House that on 14 October 2019 the Public Accountability Committee resolved to extend the reporting date for its inquiry into building standards, building quality and building disputes to 14 May 2020.

Reference

Mr DAVID SHOEBRIDGE: I inform the House that in accordance with the resolution of the House establishing the Public Accountability Committee, the committee resolved on 14 October 2019 to adopt the following reference:

1. That the Public Accountability Committee inquire into and report on the budget process for independent oversight bodies and the Parliament of New South Wales, and in particular:
 - (a) options for enhancing the process for determining the quantum of funding of the following bodies, including the transparency of this process:
 - (i) Independent Commission Against Corruption;
 - (ii) Law Enforcement Conduct Commission;
 - (iii) Audit Office of New South Wales;
 - (iv) NSW Electoral Commission;
 - (v) NSW Ombudsman; and
 - (vi) Parliament of New South Wales (Legislative Council and the Department of Parliamentary Services).
 - (b) any other related matter.
2. That the committee report by the last sitting day in April 2020.

Announcements

SIXTY-FOURTH COMMONWEALTH PARLIAMENTARY CONFERENCE

The PRESIDENT (15:09): During the last sitting week I attended the Sixty-fourth Commonwealth Parliamentary Conference in Kampala, Uganda, as one of the current Australian region representatives on the international executive committee. I was accompanied by Ms Julia Finn, MP, the member for Granville, as the New South Wales branch delegate, and Ms Jenelle Moore, Director-Committees in the Legislative Council, who participated in the associated meeting of the Society of Clerks at the Table. I am honoured to inform members

that on 28 September 2019 I was elected Vice-Chairperson of the Commonwealth Parliamentary Association [CPA], a role that will continue until the conclusion of the Sixty-fifth Commonwealth Parliamentary Conference, which will be held in Canada in January 2021.

Last week, in my role as vice-chairperson, I attended an extraordinary meeting of the coordinating committee convened by the CPA chairperson, held in London. The meeting was called in order to progress a number of urgent matters arising from the Uganda conference relating to the grievance and administration of the CPA. I will be providing a detailed briefing to members at the New South Wales branch annual general meeting on Thursday morning. My thanks go to the Hon. Trevor Khan, who acted as President during my absence on both those occasions.

LEGISLATIVE COUNCIL PHOTOGRAPH

The PRESIDENT: I advise honourable members that during question time today an officer of the Legislative Council will take photographs to be used in the department's publications, including the annual report, and on social media.

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: ORDER OF BUSINESS

The Hon. DON HARWIN: I move:

That standing and sessional orders be suspended to allow the moving of a motion forthwith relating to the conduct of business of the House this day.

Motion agreed to.

The Hon. DON HARWIN: I move:

That this day:

- (a) proceedings be interrupted at approximately 6.00 p.m., but not so as to interrupt a member speaking, to enable the Hon. Niall Blair to give his valedictory speech without any question before the Chair; and
- (b) at the conclusion of the Hon. Niall Blair's speech, government business take precedence.

Motion agreed to.

Bills

TRANSPORT ADMINISTRATION AMENDMENT (RMS DISSOLUTION) BILL 2019

Second Reading Speech

The Hon. SCOTT FARLOW (15:12): On behalf of the Hon. Don Harwin: I move:

That this bill be now read a second time.

The purpose of the Transport Administration Amendment (RMS Dissolution) Bill 2019 is to dissolve Roads and Maritime Services [RMS] and transfer its assets, rights, liabilities and functions to Transport for NSW. With this bill the Government will finally be able to achieve the reforms it has been endeavouring to deliver for the people of New South Wales to provide a more integrated, responsive and customer-focused transport system. This will be despite the efforts of the Opposition to block these reforms, as was shown when they were considered in this place not long ago. I note The Greens acknowledged the importance of integrating Roads and Maritime Services with Transport for NSW. I thank Mr David Shoebridge for his comments a few weeks ago when he said in this place:

The Greens are not opposed to the concept of merging RMS and Transport for NSW. We see a strong strategic argument for having a single transport agency so that we do not have roads decisions made over here ignorant of the public transport needs and solutions elsewhere.

It was pleasing to hear members in the other place acknowledge the wisdom of merging the functions of Roads and Maritime Services into Transport for NSW. No member who spoke in the debate opposed it and everyone could see that it made sense to create a consolidated agency. In progressing these important reforms to the Transport cluster, notwithstanding what members opposite may say, we have undertaken extensive consultations with the unions and the staff since day one. This includes consultation with the unions on the bill currently before the House. All along we have said that the bill will not change the employment status of Roads and Maritime Services staff; they will remain part of the transport service, in the same way they are now. I am happy to advise members that the unions acknowledged this in our most recent consultations.

To give additional assurance to unions that existing terms and conditions of employment would not be impacted by the integration, a memorandum of understanding between the Transport secretary and Unions NSW

on behalf of the unions was agreed to and executed on 31 July. Under the memorandum of understanding, all parties acknowledged that the bill will not impinge upon the RMS group of staff or the application or coverage of the RMS awards. The unions signed up to this and we all agree on this. The memorandum of understanding provides substantial protections for staff by undertaking to retain the existing RMS group of staff, retain existing RMS employees within the RMS group of staff and retain existing roles or vacant existing roles assigned to RMS.

On a separate note, the Minister for Transport and Roads has advised me that all five applicable awards have now been made by the NSW Industrial Relations Commission and are operational. Four of those awards apply to the Roads and Maritime Services group of staff and the fifth applies to Transport for NSW and Sydney Metro staff. Each award has a duration of two years. The successful negotiation of the new awards, along with the commitments made by the Transport secretary and the Government in consultations over the changes to the Transport cluster, means that no amendments regarding employment arrangements are either necessary or appropriate to be made to the bill now before the House. The important reforms to the Transport cluster provided for in this bill should not be delayed any further.

The bill provides for Roads and Maritime Services to be merged with Transport for NSW as part of a fully integrated Transport cluster. This is a sensible and logical next step for Transport for NSW as the lead agency in the cluster. It will enable the full integration of every area of transport under a single and unified banner. This reorganisation will deliver more integrated planning and service delivery and ensure better transport outcomes for the people of New South Wales—no matter where they live. It will break down any residual silos that frustrate effective planning and delivery of services, particularly in regional areas.

In early April this year the Premier announced the New South Wales Liberal-Nationals Government's key priorities for this term of government. Transport has a crucial role to play in delivering on a number of those priorities, including building a stronger economy, delivering well-connected communities with quality local environments and making the customer the centre of everything we do. Changes to the New South Wales government sector are designed to deliver on the Liberal-Nationals Government's priorities and commitments to the community by putting an even greater focus on social reforms and regional New South Wales. The proposed changes to the Transport cluster operating model need to happen now to ensure that its contribution to achieving the Government's key priorities can be realised as soon as possible.

The people of New South Wales expect us to get on with delivering on our commitments. We have committed more than \$50 billion over the next four years to the delivery of city- and region-shaping public transport and roads infrastructure, a level of investment unrivalled by any other State or Territory in Australia and, indeed, the Australian Government. The former Labor Government promised to build 12 rail lines in its 16 years in office but did not deliver a single one in full. In contrast, the Liberal-Nationals Government's Future Transport 2056 strategy sets the 40-year vision, directions and outcomes framework for customer mobility in New South Wales, which will guide transport investment over the long term. The strategy is the first transport plan in Australia to harness technology to improve customer and network outcomes, and it starts with a long-term vision for our communities. For the first time we have aligned transport and land-use planning by working closely with key stakeholders such as the Greater Sydney Commission, Infrastructure NSW and the Department of Planning, Industry and Environment.

The NSW State Infrastructure Strategy 2018-2038 builds on the Liberal-Nationals Government's major long-term infrastructure plans that were delivered over the past eight years. The strategy sets out the Government's priorities for the next 20 years and, combined with the Future Transport 2056 strategy, the Greater Sydney Region Plan and the Regional Development Framework, it brings together infrastructure investment and land-use planning for our cities and regions. Our strategy has been developed with the customer at its heart and requires us to be mode agnostic when we look to solve problems. A transport solution that works for one community may not work for another. We know that our customers are becoming more agnostic, choosing from a variety of ever-increasing transport options. Since its formation in 2011, the Transport cluster has made huge progress in delivering improvements across the roads and transport network.

Collectively, transport agencies have built major new road and rail infrastructure, piloted and introduced new transport services and put a real focus on improving the customer experience, resulting in a sustained increase in customer satisfaction from 79 per cent to 89 per cent. Public transport patronage is set to increase by at least another 21 per cent over the next three years, with technological innovations and better customer insights opening up all sorts of possibilities for improving the customer experience. Patronage across the existing Sydney Trains heavy rail network has skyrocketed to over 420 million passengers a year—an increase of more than 100 million people in the last five years alone. That level of growth has never been seen before in New South Wales and we need to redouble our efforts to respond to the level of demand.

The first stage of Sydney Metro, Australia's first fully automated metro rail network, opened between Rouse Hill and Chatswood in May this year on time and \$1 billion under budget. And with the first stage of

WestConnex having opened in July another key milestone of the Government has been achieved. The new M4 tunnels, which will take an incredible 10,000 trucks a day off Parramatta Road, are reducing travel times from Parramatta to Sydney's CBD by up to 20 minutes. Those achievements are making a huge contribution to the New South Wales economy as well as improving people's quality of life.

Transport for NSW's new operating model will mean these sorts of transformational outcomes can be delivered in an even more coordinated and agile way, most importantly in rural and regional areas. New technologies, new modes and new service models are rapidly emerging. Transport is in a period of unrivalled growth, change and disruption. The new operating model will mean Transport is better placed to respond to the challenges of its rapidly changing operating environment. As legislators, we need to make the rules more agile and forward thinking. We need to stay ahead of the trends, get out of the way and allow business to take the lead, but we need to do it in a safe way. Merging Roads and Maritime Services with Transport for NSW is the next logical step in the evolution of our transport system. Legislating for these changes to the Transport cluster will enable the reforms to be implemented in the simplest and most effective way, providing greater clarity and certainty for staff, industry, the private sector and the community. It will result in increased accountability and transparency for all transport stakeholders.

I now turn to the detailed provisions of the bill. Schedule 1 makes amendments to the Transport Administration Act 1988 to give effect to the dissolution of Roads and Maritime Services and to transfer its assets, rights, liabilities and functions to Transport for NSW. Roads and Maritime Services is currently a standalone statutory authority under part 6 of the Transport Administration Act 1988. The bill dissolves Roads and Maritime Services and transfers the functions conferred on it under part 6—except for division 1A, which is not necessary—to Transport for NSW. There will be no change to the RMS functions that will be exercised by Transport for NSW once the dissolution occurs. This includes functions under the Transport Administration Act 1988, the Roads Act 1993, the Road Transport Act 2013, the Heavy Vehicle National Law (NSW), the Passenger Transport Act 1990 and the Passenger Transport Act 2014, the Marine Safety Act 1998, the Ports and Maritime Administration Act 1995 and associated regulations.

Schedule 1 to the bill inserts savings and transitional provisions in schedule 7 to the Transport Administration Act 1988 to deal with the consequences of the dissolution of Roads and Maritime Services. This includes provisions to ensure that any act, matter or thing done by Roads and Maritime Services before it is dissolved will be taken to have been done by Transport for NSW. Similarly, a reference in any Act, instrument or document to Roads and Maritime Services will be taken to be a reference to Transport for NSW. The bill also provides for the amalgamation and continuation of the Transport for NSW Fund, established under section 76A of the Transport Administration Act 1988, and the Roads and Maritime Services Fund, established under section 77 of the Act, as a single fund.

Schedule 2 makes consequential amendments to the Roads Act 1993 and transport-related regulations necessary to give effect to the dissolution of Roads and Maritime Services. This bill will ensure we create a transport agency which is fit for purpose and ready to respond to the ever-increasing changes in its operating environment. The right structure needs to be in place to allow Transport for NSW to deliver truly customer-centred services, no matter where those customers are in New South Wales. The people of New South Wales deserve to have a transport system that truly meets their needs and unlocks access to opportunity. I commend the bill to the House.

Second Reading Debate

The Hon. JOHN GRAHAM (15:24): I lead for the Opposition in debate on the Transport Administration Amendment (RMS Dissolution) Bill 2019. I confirm that the Opposition does not oppose the bill, although it will seek amendments. I first place on record the principles by which the Opposition is approaching the merger between Roads and Maritime Services [RMS] and the broader Transport portfolio. I make clear that the first of those principles is that the Opposition supports a merged agency. We think it is in the public interest. We are for better transport planning and we support the merger. Both sides of politics have rearranged administrative arrangements to improve transport planning, and that continues to be our approach.

When Labor was in government in 2009 administrative arrangements were changed to ensure that one coordinated source of agency advice came to government across the transport agencies. In 2011 this Government campaigned on the suggestion that it would have one transport agency. In its ninth year, the government is finally acting. I note that the Parliamentary Secretary has said that this action should be delayed no further. We agree with that. Nine years on, at this first opportunity to debate the issue, we put on record—as we did in the lower House—that we support a merger. I sincerely hope that the other transport commitments of this Government are not implemented this slowly. The second principle is that the workforce should not be unduly affected as we try to improve transport planning. We believe there should be full transparency around any changes. The third principle is that the Opposition values the work that has been completed over decades by the women and men of

the Roads and Maritime Services agency and its forerunners, the Roads and Traffic Authority [RTA] and the Department of Main Roads [DMR].

The Department of Main Roads was created in November 1932. Some 87 years have passed since that day. Over that time skilled and professional staff have prepared post-World War II reconstruction plans, pioneered major infrastructure projects and still continue to deliver highly specialised projects across the State. These are valued public servants and they include talented engineers and surveyors. In the mid-1930s the Department of Main Roads ensured roads were sealed with bitumen or tar to prevent huge dust clouds rising into the air when cars drove through the bush. In the 1940s the DMR pioneered many of the post-war reconstruction plans in New South Wales. In the fifties the DMR accelerated the building of bridges so that cars could cross rivers without having to use a ferry and in 1966 the opening of the Harwood Bridge over the Clarence River eliminated the last remaining ferry operating on the Pacific Highway. That is the tradition and legacy of the professionals at the RMS today, who are delivering highly specialised projects across New South Wales.

The fourth issue I will place on the record is the way in which the Government has dealt with this matter, which has been the subject of some discussion in this House previously. Initially workers were told that no legislation was required and then legislation was introduced as part of the budget and appropriation bills. That is why the Opposition moved amendments to schedule 5 to the State Revenue and Other Legislation Amendment Bill 2019. Those amendments were successful in this House. In that debate the Leader of the Opposition outlined the time line.

On Monday 17 June, in consultation meetings with the unions representing them, workers were advised that no legislation was required. The next day, on Tuesday 18 June, legislation was introduced to the Parliament in relation to the merger. At no point in the discussion has the Government explained the sequence of events and that apparent breach of trust. That is one of the reasons why there is a higher trust threshold here. Because of the history of the Government saying that no legislation was required one day and then turning up the next day with a bill, the Minister should understand that these provisions will be subject to close scrutiny. As a result, the Opposition will be moving amendments. A number of them are similar to The Greens amendments that have also been tabled.

My colleague the shadow Minister for Transport, Chris Minns, foreshadowed our amendments in the other place. They seek to ensure variously that there is a no net detriment principle applied as a result of the merger; that there be no forced redundancies for a period of four years and no privatisations considered for a similar period; that the Government commitment to no job losses extends to Wollongong, Newcastle, the Central Coast and the Blue Mountains; and that Transport for NSW commits to maintaining key conditions in the RMS awards. We seek a commitment in the Minister's response in reply that there will be an agreed consultation process for future decisions—a commitment that where the Government or an agency makes future decisions the transport agency will consult on those decisions with unions and workers before a final decision is made. I now wish to draw attention to a commitment the transport Minister made when he introduced this bill in the other place. During his second reading speech the Minister said:

This reorganisation will deliver better planning and service delivery and, as a result, better outcomes. No matter where you live in this State, the Government has made a very clear commitment that, by merging RMS staff with Transport for NSW staff, we can grow the bureaucracy in the bush. We want to deliver more jobs in the country to better plan our transport, logistics and freight movements across the regions.

We intend to hold the Government to account on that jobs commitment. We know this has been an issue over the term of this Government. Statistics from the last census show that over five years jobs grew in Sydney by 342,000 but went backwards in the regions by 17,000. We hope that this Minister's commitment is more solid than the Premier's commitment after the budget of no loss of jobs in regional New South Wales. We hope the Minister's commitment lasts longer than that. Members will recall that that commitment hung in the balance while the Government prevaricated over hundreds of jobs in Essential Energy. Today those jobs are apparently safe again, and that is good, but we will hold the Minister to account for these RMS jobs. This commitment runs counter to the record of this Government on jobs in the bush and counter to this Minister's record of privatisation and outsourcing. To the Minister's credit, he has been up-front and totally clear on his view on privatisation. Addressing the Committee for Economic Development of Australia in 2017 the Minister said:

I have a very clear view ... that, into the future, government will no longer be providing services when it comes to transport—there's no need. We know that the private sector can deliver transport very effectively.

We do need a transport agency. We do need a roads capacity. We do need the skilled engineers—women and men—who plan and deliver this work in the State of New South Wales. We expect that from the Government. We expect and support better transport planning and we do not oppose the bill. Finally, I make the following observation. While we welcome the measures in the bill, the greatest obstacle to better transport planning has not always been the agency arrangements; at times it has been the Cabinet. It has been the Government's refusal to

allow the direct comparison of the costs and benefits of public transport and road proposals in certain corridors. I raise one specific but very significant concern: the example in the F6 corridor. The Opposition is concerned about reports of the existence of a memo dated 26 September 2016, headed "Failure in Critical Options Analysis", which stated:

In the case of the F6 extension, a diverse range of design and location options were considered, but only in the context of a tolled and untolled road-based solution.

The existence of a cabinet direction not to consider other options must not preclude the consideration of public transport.

It was also reported that the document cites similar Cabinet directives for studies of the proposed Western Harbour Tunnel and Beaches Link. The problem here is not that the transport agency is unwilling or unable to provide proper transport planning advice; it is simply that it has been banned from doing so by the Cabinet. Transport planning should not be ideological—that should cease—and that is also in the public interest. I commend the bill to the House.

Mr DAVID SHOEBRIDGE (15:33): On behalf of The Greens I indicate that we do not oppose the Transport Administration Amendment (RMS Dissolution) Bill 2019. Indeed, as the Parliamentary Secretary noted in his contribution to the second reading debate, we are on the record as indicating that we support the concept of a single transport agency. We support the bringing together of Transport for NSW and Roads and Maritime Services [RMS] so that we do not have one silo on one side with responsibility for roads and another silo attempting to tack on public transport and other transport options. In that regard I note the long-term commitments of The Greens, including through the former transport spokesperson Dr Mehreen Faruqi and the current transport spokesperson Ms Abigail Boyd, who have supported the concept of a unified transport agency. We believe that makes a lot of sense.

I note the history put onto the record by the Hon. John Graham. We also commend the professionalism and the experience in particular of the engineers within what was the Department of Main Roads—the DMR—which then became the Roads and Traffic Authority—the RTA—and is now RMS. That being said, The Greens have often been critical of the fairly aggressive road-based focus that RMS and its two predecessor agencies had and the priority that was often given to the demands of roads over other transport options. We see an opportunity to rebalance that by having a single transport agency. For those reasons we support the thrust of the bill. However, as we indicated in the second reading debate on the budget measures when this was originally introduced in June of this year, we have very real reservations about the way in which the merger was being done—without bringing on board the unions and without providing the necessary guaranteed protections for the thousands of people working in those two agencies.

I will not repeat the contributions we made in that debate, especially given the time, but I will reference them in this debate and indicate that our concerns remain. We have had a number of conversations with the Minister about measures to alleviate those concerns and in that regard we produced and tabled amendments months ago which we have provided to the Minister and to other members in this House. We have not received any amendments to those amendments or a critique of those amendments and we are hopeful that they are relatively uncontroversial and just embed and protect existing entitlements and, indeed, legislate for many of the commitments the Minister gave in the second reading speech. The amendments are not intended to derail the bill; they are simply intended to provide the appropriate level of protection for those thousands of public sector workers—many of them engineers and professionals but also many other workers in RMS and Transport for NSW. We do not oppose the bill but we will be pressing those amendments in Committee.

Reverend the Hon. FRED NILE (15:37): I support the Transport Administration Amendment (RMS Dissolution) Bill 2019. I thank the Government for its briefing on the bill and for the detailed work that it has been engaged in, particularly the Minister, in consultations with Unions NSW and its affiliated unions to ensure that they understood the legislation and would give it their support. The changes proposed to the Transport cluster are designed to deliver better integrated service delivery across all modes, to keep driving better customer outcomes and to put a greater focus on creating better places for people in New South Wales, no matter where they live.

There will be no change to the Roads and Maritime Services [RMS] functions that will be exercised by Transport for NSW following the merger. Similarly, we are pleased that there will be no change to the employment status of RMS staff as a result of the merger. We support schedule 1 to the bill, which amends the Transport Administration Act 1988 to give effect to the dissolution of RMS and to transfer its assets, rights, liabilities and functions to Transport for NSW. We also support schedule 2 to the bill, which amends the Roads Act 1993 and other transport-related regulations necessary to give effect to the changes to the Transport cluster. We thank the Minister, Andrew Constance, for his briefings and we support the bill.

The Hon. MICK VEITCH (15:39): I make a very brief contribution to debate on the Transport Administration Amendment (RMS Dissolution) Bill 2019, particularly as everyone is trying to work to a time. As the lead for the Opposition, the Hon. John Graham, said, we will be supporting the bill but there are some amendments. My contribution is more about regionality—the issues for the regions in this particular piece of legislation. I have seen this many times, both when we were in government and now with the current Government, where these sorts of things take place and people say, "It is going to be okay in the regions. The jobs are going to be okay."

And then a couple of years later you talk to people and hear that so-and-so has lost their job or they have been moved somewhere else. As time goes by you look back and think, "Maybe those jobs were not okay and they have disappeared." My concern with this type of legislation is that we do need to make sure that those regional jobs remain and that people are constructively and gainfully employed, not made redundant, because there are so many rural communities that require these jobs and there is also the need for skill sets in these communities as well. My concern about this particular piece of legislation is the long-term impact on regional jobs in New South Wales.

The Hon. WES FANG (15:40): I note the contribution of the Hon. Mick Veitch discussing rural and regional jobs. I am pleased to speak today in support of the Transport Administration Amendment (RMS Dissolution) Bill 2019 and to outline to members the benefits that reorganisation of the Transport cluster will bring to the people of this State, particularly those living in regional communities. The bill before the House focuses on the bringing together of two separate parts of the Transport cluster—Transport for NSW and Roads and Maritime Services.

Roads and Maritime Services will be dissolved and the bill provides that its functions will in future be performed by Transport for NSW. The Transport cluster is being reorganised to deliver better integrated service delivery across all modes, to keep driving better customer outcomes and to put a greater focus on creating better places for people across New South Wales, no matter where they live. This includes the creation of a new Regional and Outer Metropolitan Division focused on addressing the distinct needs of communities outside Greater Sydney and, in particular, supporting the delivery of this Government's big, bold vision for improving roads and transport connectivity in the bush.

The Hon. Ben Franklin: Tell us more.

The Hon. WES FANG: I will. I am happy to. The greater focus on regional areas will ensure that decision-making happens at the appropriate level to ensure local community needs are met in a timely manner. The integration of Roads and Maritime Services' functions and work teams into Transport for NSW is a key component of the Transport cluster reorganisation. It will provide customers and the community full integration of every area of transport under a single and unified transport banner. Transport for NSW and Roads and Maritime Services already work very closely together on a day-to-day basis.

In regional areas many offices and work sites are already co-located; this is not expected to change. However, through this bill the full integration of Roads and Maritime Services into Transport for NSW will mean there are no organisational barriers to realising the full benefits of integrated and coordinated services. It will ensure the breaking down of any residual silos that frustrate effective service delivery and it will encourage even closer collaboration to ensure we take a holistic view of the challenges and opportunities in regional areas. Importantly, this integration will not result in job losses in rural and regional areas.

This is the next logical step for Transport for NSW. It will ensure all parts of the business will be focused on delivering the Government's Future Transport 2056 strategy. Integrating Roads and Maritime Services into Transport for NSW will make it a lot easier for customers, industry, councils and other government agencies to effectively engage on transport matters. Integration will result in increased accountability and transparency for all transport stakeholders. The new operating model will ensure decision-making happens in a timely way, ensuring decisions truly reflect customer needs and expectations.

The new operating model will also mean resources will be better targeted to areas of greatest need and priority. It will encourage better coordination and collaboration, allowing transport to respond nimbly and creatively to changes in the operating environment. Transport is a technology business and it is in a period of unrivalled growth, change and disruption. The new operating model will position transport to be more agile in responding to emerging challenges and in identifying ways improved transport connectivity can unlock opportunity for individuals and business.

The new Transport for NSW structure includes two new geographically focused service and operational divisions, one focusing on Greater Sydney and the other on the diverse regions of our State outside Sydney. These new divisions will provide a single point of accountability for the transport and road networks in any given

community in New South Wales. The two divisions are focused on providing a customer- and community-focused approach to planning and delivery. This will make it easier for customers and communities to engage with Transport for NSW.

The Greater Sydney Division includes Sydney Trains, Sydney Metro and the State Transit Authority, with the chief executives of each of these entities committed to working closely and cooperatively with the deputy secretary of that division to ensure integrated service delivery and operations in the Greater Sydney area. The maritime division of the current Roads and Maritime Services is also located in this division, as is the part of Roads and Maritime Services known as RMS Sydney Division. The Regional and Outer Metropolitan Division focuses on the regions as well as Newcastle and Wollongong. It includes NSW TrainLink and the RMS regional and freight division, except for the part of the division dealing with freight, which has transitioned to the freight team in another part of the new Transport for NSW: the customer strategy and technology division.

Again, this will ensure integrated service delivery and operations in the diverse regions of our great State, focusing on the varying needs and challenges that arise in different locations. With this bill, the Government once again demonstrates its commitment to the regions. As the Deputy Premier and member for Monaro said after the State election, the New South Wales Liberal-Nationals Government recognises that many in our regional and rural communities are doing it tough. Better connecting our communities and unlocking opportunities through improved transport and road links will be a key priority during this term of Government. This bill will support those connections. I commend the bill to the House.

The Hon. BEN FRANKLIN (15:48): I wish to speak to an issue that I am particularly passionate about: the Transport Administration Amendment (RMS Dissolution) Bill 2019. I am delighted to inform the House I will be speaking in support of the bill. This bill supports changes to the Transport cluster operating model, designed to deliver better integrated service delivery across all modes, to keep driving better customer outcomes and to put a greater focus on creating better places for people across New South Wales, no matter where they live. It will not shock members to know that one thing I am concerned about is to ensure that they have strong regional support, particularly on the North Coast of New South Wales. I know the Hon. Walt Secord would back me up, as he did a lot of work as the shadow Minister.

[A member interjected.]

I acknowledge that interjection. The greater focus on regional areas will ensure that decision-making is truly based on the distinct customer needs and expectations of regional communities, as well they should. As always, safety will remain a core priority. Transport needs to have the right structure in place to be able to deliver truly customer-centred services, no matter where those customers are in New South Wales. An essential element of this is a workplace where people are supported in achieving the vision of Future Transport 2056 and are encouraged to work more collaboratively across the cluster.

This is not about making changes to employment arrangements. This is a very serious point. It is focused on changing the transport operating model to ensure the cluster can rapidly respond to issues and develop customer-focused solutions, a principle underlying so much of what this Government does. I repeat: The bill is not about changing employment arrangements or reducing the number of jobs. The Government has given a very clear undertaking that it is going to grow jobs in Transport for NSW in the bush with the merging of Roads and Maritime Services and Transport for NSW. This will mean more jobs based in the regions to support our transport network as this Government delivers on its vision for the future. The Government has also given the undertaking that this is not about job cuts; it is about jobs growth for Transport for NSW in regional areas.

While the bill provides that Roads and Maritime Services will no longer exist as a standalone entity, it does not envisage the end of the functions that are performed by Roads and Maritime Services. Rather, the bill explicitly provides for these functions to be transferred to Transport for NSW. The staff of Roads and Maritime Services who perform these functions were, on 1 July 2019, transitioned into the new divisional structure that is being created within Transport for NSW. The teams were moved intact to the relevant new divisions. These teams will continue to perform the huge range of essential functions on which the people of this State depend to keep them safe and connected via our roads and waterways.

The priority is to bring teams and staff into the combined organisation intact. There has been no change to the location, classification or numbers of roles during this transition—something I know the Opposition Whip is particularly focused on. These staff will continue to be covered by their existing industrial arrangements as set out in the relevant industrial awards, with no change to their conditions of employment. The only change is in their reporting lines, which now fit with the new internal divisions of Transport for NSW. I am thrilled to advise that all five awards applying to the employees of Roads and Maritime Services and Transport for NSW have been successfully negotiated, made by the Industrial Relations Commission, and are now operational.

There will be no change to the employment status of any of these staff members as a result of the transition to a single agency. All Roads and Maritime Services staff and Transport for NSW staff are already members of the transport service, as distinct from the public service. The transport secretary already exercises the employer functions in relation to all members of the transport service. All staff will remain members of the transport service and the transport secretary will remain their employer. Transport for NSW has already commenced and is continuing a program of ongoing consultation with staff and unions about the merger and how it will work in practice. Consultation with staff and unions has taken place in accordance with the applicable awards.

The Hon. Walt Secord: You hate consultation.

The Hon. BEN FRANKLIN: I love consultation. I emphasise that there is no target for job cuts and there will be no—

The Hon. Don Harwin: Point of order: It is a fundamental tenet of the way the House works that there needs to be civility in debate and also that when members make a contribution they are able to be heard—and heard in silence, or at least that noise in the Chamber be kept so that it is inaudible. We have just heard an honourable member interject in a way that was highly disruptive and that meant that I, frankly, had difficulty hearing the contribution of the Hon. Ben Franklin. It should not happen. Also, with respect, the Hon. Ben Franklin probably should not have responded but he was provoked. I understand there was fault on both sides so maybe a warning is appropriate on this occasion but, Mr Deputy President, you might like to consider whether the conduct of the House has been disorderly and whether that is in our best interests while we are pursuing our role as the House of review.

The DEPUTY PRESIDENT (The Hon. Shayne Mallard): I thank the Leader of the Government for his extensive point of order. I uphold the point of order and ask all members on both sides of the House and speakers to conduct themselves per the standing orders. The Hon. Ben Franklin has the call and he will be heard in silence.

The Hon. BEN FRANKLIN: Thank you very much, Mr Deputy President. I absolutely respect your ruling and in no way cavil with it. I apologise for in any way inciting the Hon. Walt Secord and make it very clear that I am always pro consultation. I will consult with the member opposite on many matters. I have done and will continue to do so as the years go on, I am sure.

Mr David Shoebridge: Which brings me to the last paragraph.

The Hon. BEN FRANKLIN: Which brings me to the third-last paragraph. I emphasise once again that there is no target for job cuts. There will be no redundancies for award staff as part of this transition or as a consequence of these amendments. In particular, I remind the House that both Premier Gladys Berejiklian and Deputy Premier John Barilaro, both fine leaders of this State, have firmly committed to no public sector job cuts in rural and regional New South Wales. Transport for NSW will continue to invest in ensuring that its people have the skills and support to do their work effectively. I commend the bill to the House.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (15:56): It goes without saying that I support the Transport Administration Amendment (RMS Dissolution) Bill 2019. It is of great comfort for me to know that the Hon. John Graham, on behalf of the Australian Labor Party, also supports this legislation. His only concern in relation to it was that the Government sought additional advice as to whether legislation was needed. Because the advice was that we did need legislation, that meant that the last time the bill was before the House he could not support it.

In any event, one of the things that we ought to address in relation to this bill is just what the bill is seeking to achieve. The bill will facilitate changes to the transport cluster operating model that are designed to deliver better integrated services across all modes to keep driving better customer outcomes and to put a greater focus on creating better places for people across New South Wales, no matter where they live. The Opposition will say that this is about privatisation but that is simply not true. It is just the same old rhetoric that we have heard from the Opposition time and time again.

One only has to look at the Government's record on delivering real transport outcomes for the people of New South Wales to know who can be trusted when it comes to transport: us. Since coming to government in 2011 the New South Wales Liberal-Nationals Government has grown the State's asset base by over \$100 billion. That means it now owns \$100 billion more in assets than it did when it came in. That is not a bad way to run a household, I have to say, if the asset holding of the household is improved. The Government has extended that to the State and every constituent of this State—

The Hon. Walt Secord: John Barilaro—seven of them. Seven houses under the Barilaro regime.

The Hon. Bronnie Taylor: Point of order: Members opposite are interjecting while the member is trying to speak. I ask that they be called to order.

The PRESIDENT: I uphold the point of order. The Minister has the call.

The Hon. DAMIEN TUDEHOPE: I was saying that the Government has increased the asset base of the State by \$100 billion and that is a tribute to its management of the State.

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

Questions Without Notice

KIDSTART FAMILY DAY CARE CENTRE

The Hon. ADAM SEARLE (16:00): My question is directed to the Minister for Education and Early Childhood Learning. Given that national guidelines call for the re-auditing of a facility that reports a low rating on care within 12 months, why did the New South Wales Government fail to re-audit the Kidstart Family Day Care centre in Randwick after it received a low rating on its standard of care in 2015?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:00): I thank the honourable member for his question in relation to the Kidstart Family Day Care. The centre has been in the news recently due to a tragic incident that occurred there. The member has not specifically asked me about that but I think it is important to refer to it. The death of the little boy at that family day care service in Sydney earlier this year is an absolute tragedy. I have met with the child's parents to express my deepest sympathies and to offer them my personal support. No family should have to experience the loss of a child. My heart goes out to them and their loved ones during this very difficult time.

The matter is currently under active investigation by the NSW Police Force and the Department of Education. I am unable to provide any further details in relation to the incident or the specifics of the service involved until those investigations have concluded. In relation to the member's question about services being re-audited or assessed and rated, I advise the Leader of the Opposition that the National Quality Framework provides a national approach to regulation of the quality of education and care services across Australia. The National Quality Framework is currently being reviewed. In relation to any specific guidelines about how often services are assessed and rated, there is no requirement for them to be assessed and rated within a 12-month period. That is the advice I have received from the department.

In relation to that particular operator, I can also add for the member's benefit that the educator who was in charge that day is not operating as an educator and that service has been suspended. Given the ongoing investigations by both the department and the police, I am unable to provide any further information at this point.

CLOSING THE GAP FRAMEWORK

The Hon. NIAL BLAIR (16:03): 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 this Government is ensuring that Aboriginal people in New South Wales have their voices heard as part of the new national Closing the Gap framework?

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) (16:03): I thank the Hon. Niall Blair for his question. Today public face-to-face consultations kick off on the refresh of the Closing the Gap targets and priorities. It is important that communities and organisations have the opportunity to provide input on the draft framework and discuss what it means in New South Wales. It all starts in Deniliquin. Deniliquin is the first of 29 community consultations that will be held across the State in October and November. The NSW Coalition of Aboriginal Peak Organisations [CAPO] is running those consultations to ensure that the new proposed framework is developed in genuine partnership with Aboriginal and Torres Strait Islander people.

One of the criticisms of the original Closing the Gap framework, which was introduced by the Federal Government under Kevin Rudd, was the lack of thorough community consultation. The New South Wales Government understands the importance of consulting Aboriginal people on policies that will directly impact them and their communities. That is why it has contributed funding to support CAPO to run the community consultations and ensure that New South Wales is given the opportunity to consider the national framework and how things should be done here. CAPO is allowing phone consultations as well as online surveys. We want to accommodate as much consultation as possible.

Although Aboriginal people in New South Wales have seen a number of positive improvements over the past decade, we must endeavour to do better. We need to strive for better education outcomes to see more Aboriginal and Torres Strait Islander students complete year 12 and more students transition to employment or

further education. We need improved health outcomes to see a further closing of the gap in life expectancy. We simply need to do better. It is important we also remember the positives. We are enriched by one of the world's oldest continuing cultures. Aboriginal and Torres Strait Islander languages are still being spoken across the country and, with our Government's efforts in working with Aboriginal people, we will see more languages revived. Aboriginal people are at the height of their respective fields in the arts, sport and academia and many other fields. The New South Wales Government will continue to do its part to better the lives of Aboriginal people in the State and work with the Federal Government to provide better assistance across all sectors.

KIDSTART FAMILY DAY CARE CENTRE

The Hon. PENNY SHARPE (16:06): My question is directed to the Minister for Education and Early Childhood Learning. Given the Minister's earlier answer to the question asked by the Hon. Adam Searle and her acknowledgement that the tragic death of the six-month-old baby at the Kidstart Family Day Care centre in Randwick is currently under investigation by both the NSW Police Force and the Department of Education, will the Minister inform the House as to when that investigation will be completed? Will the Minister guarantee that the outcome of the investigation will be released publicly?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:06): I thank the Deputy Leader of the Opposition for her question about an extremely serious issue. As I said in my earlier answer to the Leader of the Opposition, the police investigation is still underway. The NSW Department of Education is also undertaking its own investigation into potential regulatory breaches. I will seek advice from the department as to whether there is any further information in relation to the time frame. My understanding is that a referral has been made to the Coroner in relation to the matter. I will find out if there is any further information in relation to that. Obviously, as the matter is going through a coronial process that carries legal implications. However, I will seek advice in relation to the time frame and what can be made public and when.

FISHING TRUSTS

The Hon. MARK BANASIAK (16:07): My question is directed to the Minister for Mental Health, Regional Youth and Women, representing the Minister for Agriculture and Western New South Wales. Will the Minister explain why the fishing trusts under the Fisheries Management Act 1994 do not adhere to the trust account requirements set by the Property, Stock and Business Agents Act 2002, in particular, the need for external auditing? Why have the trust fund summaries only and not the full reports been published on the New South Wales Department of Primary Industries website since 2011?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (16:08): I thank the honourable member for his question relating to the portfolio of the Minister in the other place whom I represent in this House. As it is a very detailed question about fishing, I will take it on notice and provide an answer in due course.

ROAD SAFETY

The Hon. NIALL BLAIR (16:08): My question is addressed to the Minister for Education and Early Childhood Learning. Will the Minister update the House on how the New South Wales Government is promoting road safety across New South Wales schools?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:08): I thank the honourable member for what will perhaps be one of his last questions. We will see what the day brings. I thank him for the opportunity to talk to the House about the importance of road safety, particularly as it relates to school students in New South Wales. Road safety education is essential for children attending any school across the State. Transport for NSW collaborates with the New South Wales education sectors to conduct comprehensive road safety education that targets children and young people from early childhood to year 12.

Road safety education is developmentally appropriate, ongoing and sequential from kindergarten to year 6 and covers pedestrian safety, passenger safety and safety on wheels. Safety Town is part of the Government's road safety education program. It provides road safety education support to teachers in many primary and secondary schools and early childhood services across New South Wales. The Safety Town website is a one-stop shop with road safety education resources for primary school students from kindergarten to year 6, their teachers and their families. It includes interactive activities for use in classrooms and for parents at home as well as teacher lesson plans and activities.

Today I visited Glenmore Road Public School with the Minister for Transport and Roads, Andrew Constance, to talk about the importance of road safety and the Safety Town program. I thank the relieving principal, Debbie Brandon, the staff, the teachers and the parents of the children, particularly class 3F, for coming to school early to join us. We are in term four and we do not want any drivers becoming complacent on the roads,

especially around our school zones. A new Safety Town roadshow featuring characters Daisy and Sprocket, who were with us today at the school, has been launched and will help promote road safety messages to kids and families at community and school events across New South Wales. The approach to road safety education in schools is to build capacity in teachers to effectively teach road safety as part of the curriculum. Teachers are well placed to deliver road safety education because of the relationship they have with students and they are more likely to be aware of the local school context.

I am pleased to say that Transport for NSW's first ever tram safety school education materials will be available later this month on the Safety Town website and separately for early childhood centres. Resources include two e-books about the end-to-end journey on light rail and how to get on and off trams safely. This is just one thing we are doing as a government to keep students safe. We are also ensuring that there are more than 6,000 school zone flashing lights in place across New South Wales, warning motorists when they are about to enter a 40-kilometre-per-hour school zone. The Government is also investing in 300 more school crossing supervisors in the next three years, offering more protection for children and improved visibility of crossings for motorists.

I leave students, and our parents and drivers, with the message to stay safe on the roads, particularly in school zones. I encourage parents to look at the Safety Town website. I did yesterday. There are lots of interactive activities and some great messages for kids about making sure that they stay safe around the school zone.

MONARO YOUTH SERVICES

The Hon. MARK BANASIAK (16:12): My question is directed to the Minister for Mental Health, Regional Youth and Women. One issue raised at the Regional Youth Taskforce was that a lack of activity leads to boredom, leading to drug use. Is the Minister aware that towns in the Monaro district, where the Minister lives, shoulder the brunt of the drugs scourge and that ice addiction is at epidemic levels? It is particularly prevalent among our State's young people. The Deputy Premier acknowledged this fact when police requested an extra 48 officers, including three new sergeants and 21 constables. What representations has the Minister made to the Deputy Premier and member for Monaro since becoming the regional youth Minister to protect the district's young people?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (16:13): I thank the honourable member for his question and his interest in regional youth. That is the first question I have had from the Shooters, Fishers and Farmers Party on regional youth. I thank him for mentioning the great electorate of Monaro, where I am from. At our first Regional Youth Taskforce meeting, which was held this weekend, many important issues were raised about the things we need to do. That is one of the pillars under the strategic youth framework. Drug addiction and the use of illegal substances in our regional communities is concerning, particularly for anyone who lives in the community. As to what the Government is doing, people are out there doing things every day. Our fantastic NSW Police Force works continuously with youth through services such as the Police and Community Youth Club.

The Hon. Greg Donnelly: What about drug rehabilitation programs? What about detoxification programs?

The Hon. BRONNIE TAYLOR: They deal with particular issues and use services to help regional youth. In terms of our drug policy, a task force is looking at the issue of ice and will shortly be reporting. This is the first time that New South Wales has had a Minister with a clear focus on regional youth. I am excited about what the task force is going to say. I am excited that we are placing more police officers in our communities who can deal with all sorts of issues. Those police officers are working with youth and our communities to make sure we get the best outcomes and that our children have the best possible opportunities.

The Hon. MARK BANASIAK (16:15): I ask a supplementary question.

The PRESIDENT: Order! Members will remain silent.

The Hon. MARK BANASIAK: Will the Minister elucidate on her reference to police officers? When will the district see the delivery of those 45 police officers?

The Hon. Wes Fang: Point of order: That was clearly a new question and did not relate to the answer given by the Minister.

The Hon. Penny Sharpe: To the point of order: The member has asked for an elucidation of the Minister's answer. She spoke at length about the various issues relating to police and police numbers and what is happening. It is clearly in order.

The PRESIDENT: As I have indicated on a number of occasions, Standing Order 64 (4) states:

At the discretion of the President, one supplementary question may be immediately put by the member who asked a question to elucidate an answer.

As I have ruled on a number of occasions, for a supplementary question to be in order it needs to satisfy three aspects. It must be actually and accurately related to the original question, it must relate or arise from the answer and it must seek to elucidate a part of the answer given. The supplementary question ticked all three boxes. The supplementary question is in order. The Minister has the call.

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (16:17):

I thank the honourable member for his supplementary question. As it relates specifically to police numbers in the Monaro district it is a question for the police Minister, who resides in the other House. I am happy to take it on notice and get an answer.

MUHAMMAD ZAHAB

The Hon. WALT SECORD (16:17): My question is directed to the Minister for Education and Early Childhood Learning. What steps has the Minister and the Department of Education taken to investigate the employment and activity of Sydney maths teacher Muhammad Zahab, who worked in New South Wales in education before going to the Middle East to become a fighter with ISIS?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:18):

I thank the honourable member for his question. I do not have any information relating to that individual. I will take the question on notice and come back to him.

The Hon. Walt Secord: It was on *Four Corners*.

The PRESIDENT: Order! I call the Hon. Walt Secord to order for the first time. The member asked a question and the Minister is at liberty to answer the question as she sees fit. The Minister is also at liberty to take it on notice. The member cannot interject and start giving other aspects to the question. The Minister has the call.

The Hon. SARAH MITCHELL: I will take the specifics of that question on notice and come back to the member with an answer.

REGIONAL YOUTH TASKFORCE

The Hon. NIAL BLAIR (16:18): My question is addressed to the Minister for Mental Health, Regional Youth and Women. Will the Minister update the House on the New South Wales Government's election commitments regarding regional youth?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (16:19):

I thank the honourable member for his question. I am so excited to inform members on where the Government is at regarding its election commitments on regional youth. Unlike the members opposite, when The Nationals and the Liberals say they will do something they do it. Back in March the Deputy Premier and Minister for Regional New South Wales made key Nationals' election commitments: to create a Minister for regional youth—done; to establish an Office for Regional Youth—done; to allocate 50 per cent of round three of the Stronger Country Communities Fund to regional youth programs and projects—done; and to establish a Regional Youth Taskforce—done. Some members said the Government would not establish such a task force.

It was fantastic to meet so many young people who are passionate about leveraging the opportunities in regional New South Wales and making life better for their peers and future generations. A few takeaways from the weekend were that the Government must look at how school councils can be more effective at connecting with their students and that community initiatives will be most effective if young people are involved at their inception and at each stage of their development. Another takeaway was that the Government must better ensure services for young people and to do so regularly. The final takeaway was that one task force member caught their very first plane. I thank the task force members for putting their hand up to represent their communities. I will table the task force members' names.

I am pleased to inform members that the meeting over the weekend was a huge success. Young people from across New South Wales—from Balranald to Port Macquarie, from Tamworth to Moruya and from Coonamble to Scone—came together to comment on our regional youth framework and to talk to me about the steps the Government could take to ensure that our young people can stay, live, work and thrive in regional New South Wales. As I said, some members claimed the Regional Youth Taskforce would never happen. I remind them that when The Nationals and the Liberals say they will do something they certainly do it. Our Regional Youth Taskforce includes individuals across diverse backgrounds and aged from 13 to 23. It also has a wealth of experience, with young people coming from all walks of life. It was a deliberate choice as I need a task force that

can advise me on the difficult issues facing regional young people and the incredible opportunities available to them. I thank the task force— [*Time expired.*]

The PRESIDENT: The Minister cannot incorporate the names of the members of the task force. She has to seek leave to incorporate the names in *Hansard*. Is the Minister seeking leave to do so?

The Hon. Bronnie Taylor: Yes.

Leave not granted.

The PRESIDENT: The Minister will resume her seat.

NATIONAL DISABILITY INSURANCE SCHEME

Ms ABIGAIL BOYD (16:23): My question without notice is directed to the Minister for Finance and Small Business, representing the Minister for Families, Communities and Disability Services. As reported in *The Saturday Paper*, across Australia currently at least 500 children's families have been forced to relinquish the care of their children with profound disability due to an ongoing disagreement over funding between State governments and the National Disability Insurance Agency. Given that the National Disability Insurance Scheme was introduced to ensure that every individual with a physical or intellectual disability was fully supported with appropriate care and services, what steps is the New South Wales Government taking to ensure that the problem is addressed immediately?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (16:23): I thank the honourable member for her question. She would not be surprised that I am not in a position to give her a specific answer. As the question relates to the portfolio of a Minister in the other place, I am happy to facilitate a reply.

[*Business interrupted.*]

Visitors

VISITORS

The PRESIDENT: I welcome into the public gallery the Hon. Troy Grant, former Deputy Premier and former leader of the New South Wales National Party. I assume he is here for the Hon. Niall Blair's valedictory speech at 6.00 p.m. but he is most welcome to be here early.

Questions Without Notice

SCHOOL AIR CONDITIONING

[*Business resumed.*]

The Hon. COURTNEY HOUSSOS (16:24): My question without notice is directed to the Minister for Education and Early Childhood Learning. Given that only 27 of the 1,300 schools that applied for the Cooler Classrooms scheme have been fitted with air conditioners, will the Minister guarantee that all New South Wales students in the remaining schools will be able to study in comfort this summer?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:25): I thank the member for her question. With the indulgence of the President, I also welcome the Hon. Troy Grant. He might be here to watch question time. We should not assume that he is here only for the Hon. Niall Blair's valedictory speech. I return to the member's question on Cooler Classrooms. The Government has committed \$500 million over five years to roll out a sustainable air conditioning and fresh air ventilation program, called the Cooler Classrooms Program, in New South Wales public schools. The Government is committed to providing healthy and comfortable learning environments for all students in New South Wales government schools. More than 900 public schools will receive air conditioning and fresh air ventilation through the unprecedented \$500 million funding boost, the largest investment of its kind in New South Wales history.

Under the program schools that experience a mean maximum January temperature of 30 degrees Celsius and above are automatically eligible to have air conditioning and fresh air ventilation installed in their permanent learning spaces and libraries. The Cooler Classrooms Fund has allowed schools with a mean maximum January temperature of below 30 degrees Celsius to apply to School Infrastructure NSW to have air conditioning and fresh air ventilation installed in their permanent learning spaces and libraries. New schools, major upgrades, redevelopments and relocated schools yet to be delivered will have air conditioning installed in permanent learning spaces and libraries as part of the project scope.

It is a big government project. It is not as simple as installing a regular air conditioning unit that can be purchased at a local hardware store. The Government wants to do it properly and deliver the best outcomes for students and teachers. Therefore it is installing integrated air conditioning systems, which require additional work

now to deliver a better system in the long run. The systems are being designed for each individual school, which will enable them to keep the temperature and running costs low. Of the 900 schools that have been approved, 741 have undergone extensive audit and due diligence processes, including onsite inspections and detailed scoping of works, assessment of electrical capacity and any potential heritage factors. Forty-eight schools have had the systems fully installed, with a further 35 in the construction phase. Those are the figures that I have been provided with. Fifty-six schools are currently in the design phase, with 47 projects being tendered. In total 186 of the 900 schools have either had their air-conditioning systems installed or are part way through delivery, in just the first 12 months of the program. The number will increase more rapidly as the program continues to roll out.

The Hon. COURTNEY HOUSSOS (16:27): I ask a supplementary question. Will the Minister outline how many of the schools were covered in the most recent October school holidays?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:28): I thank the member for her question. The figures that I provided in my answer are the most up-to-date ones that I have. Given that it is only day two of term four, I will check what work was undertaken during the two weeks and whether there have been any changes to those numbers and I will come back to the member.

BOOSTING BUSINESS INNOVATION PROGRAM

The Hon. NIAL BLAIR (16:28): My question is addressed to Minister for Finance and Small Business. How is the New South Wales Government's Boosting Business Innovation Program working to support businesses deliver the new ideas and technology of tomorrow?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (16:29): This is a good news story. It is great to be asked a question about something that really is exciting—

The Hon. Mick Veitch: Show us your enthusiasm.

The Hon. Penny Sharpe: Come on, show us; tell us. It is a big build-up.

The Hon. DAMIEN TUDEHOPE: I know everyone is excited. We have a program called the Boosting Business Innovation Program, funded by an \$18 million project that aims to accelerate innovation in New South Wales by supporting collaboration between research organisations and businesses in our communities. This program is helping to unlock access to technology, equipment, research and expertise to build stronger businesses and stimulate economic growth in New South Wales. Our partners include the Australian Catholic University, Western Sydney University, Sydney University, University of New South Wales and the CSIRO. Last week I visited the Lindfield Collaboration Hub, a unique space spread over two floors in the CSIRO, where technology businesses can access CSIRO equipment and expertise.

These hub businesses, located on site, have raised more than \$50 million in grants and venture capital funding in the past three years and have created more than 100 new high-tech jobs in New South Wales. These business are the real deal. For example—and I am going to talk about some of them because they are amazing, I can tell you—Aether Photonics is a start-up that provides ultra-compact, low-cost laser systems for use in manufacturing and defence-tech industries. To actually see this guy at work is quite amazing—I will answer another question another day and tell members all about him. TruScreen is a start-up that has developed a cervical cancer screening device that provides real-time, accurate detection of pre-cancerous and cancerous cervical cells to improve the health and wellbeing of women around the world.

Yesterday with the environment Minister I visited Solspan, a New South Wales business changing the landscape when it comes to solar panels. Through the Boosting Business Innovation Program, Solspan is working in collaboration with the University of New South Wales to integrate solar panels into sheet metal to use on building roofs and walls, making the separate installation of solar panels unnecessary. It is this kind of innovation that will make energy more affordable, reliable and clean.

WATER INFRASTRUCTURE

Mr JUSTIN FIELD (16:32): My question without notice is directed to the Minister for Mental Health, Regional Youth and Women, representing the Minister for Water, Property and Housing. Given media statements by the Murray-Darling Basin Authority that "new or expanded dams don't create water" and that the New South Wales Government is required to use "no more than the long-term annual average limit of water that can be taken from individual catchments within the basin", will the Minister guarantee the people of New South Wales that as a result of the Government's new dams plan there will not be less water in the rivers downstream of those new dams?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (16:32): I thank the member for his question to a Minister in the other place, whom I represent in this Chamber, relating

to dam infrastructure and water. Most of New South Wales is in the grip of a severe drought, with some of our most vibrant regional centres on level 5 water restrictions. The continued impacts of these dry conditions on rural economies and the social fabric of these centres is devastating, crippling and relentless. The New South Wales Government is already investing in a range of solutions to ensure those towns do not run out of water, but we need to do more. All of us have a stake in the future of water management and a responsibility to ensure that our important inland regional centres can endure and become more resilient. We must take steps now to avoid this scenario ever happening again.

The New South Wales and Australian governments are working collaboratively to prioritise and fast-track critical water infrastructure projects by investing over \$1 billion for major dam projects. The new dams will ensure that we have increased security and supply for our existing water users, especially in times of severe drought. The New South Wales Government remains committed to sustainable diversion limits already established for each basin valley, as set out in the basin plan, as well as the long-term extraction limits set out in our statutory water sharing plans. No new entitlement will be issued from these new dams. Instead, they will provide more reliability and security for regional New South Wales and the businesses that rely on this water to support our communities and the economy. They will extend water availability through future droughts. The dams will not cause a breach of our 1995 limits. New South Wales has remained well under the limits set out in the basin plan and this will not be affected by new dams and infrastructure.

SCHOOL AIR CONDITIONING

The Hon. JOHN GRAHAM (16:35): My question without notice is directed to the Minister for Education and Early Childhood Learning. Given the Minister's previous answers on the Government's air conditioning scheme rollout, why has the department installed broken, faulty air conditioners in south-west Sydney that have not been working for three months?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:35): I thank the honourable member for his question in relation to what he says are air conditioning units that have been installed that are not working. That is not something that has been brought to my attention but I am happy to seek advice. It is not consistent with the information that I have in relation to the rollout of the scheme; I have not been made aware that there have been any issues of that nature but I am happy to check. If he has any more specific examples or information in relation to which schools there are concerns about, that would be helpful as well.

The Hon. JOHN GRAHAM (16:36): I ask a supplementary question. I ask the Minister to elucidate on the issues—

The PRESIDENT: Order! The Clerk will stop the clock. I need to hear the supplementary question and I gave the member the call. If his colleagues behind him could allow him to ask it and not interject I think it would help both of us. More importantly, it helps Hansard. The honourable member has the call.

The Hon. JOHN GRAHAM: I ask that the Minister elucidate on the part of her answer about what she was aware of and I might indicate first that one of those schools is Bonnyrigg Heights Public School, but also other schools in south-west Sydney. I ask her to elucidate on what she was aware of. Is she aware that teachers are saying, "This Government says it has installed air conditioning in classes but they never said that it has to work"?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:36): Well, there it is. As I said in relation to the specifics of the question, I have not been made aware of any concerns about that particular school but I will have a look and see if there is any information in relation to any other schools in south-western Sydney. I will seek advice from School Infrastructure NSW in relation to that. More broadly—and I will not debate the question because I know that I am not allowed to—

The PRESIDENT: Especially after you started answering it.

The Hon. SARAH MITCHELL: We are committed to the rollout of this air conditioning system. We are committed to making classrooms a comfortable temperature for our students to be in and this is, as I said, a \$500 million investment over five years. It is something that the Government is very proud of and we are rolling it out in line with our commitment.

KOORI KNOCKOUT COMPETITION

The Hon. NIALL BLAIR (16:38): Mr President—

The PRESIDENT: Before the honourable member asks his question I might indicate to the Clerk that we might need to check if this will be a record number of questions from one MLC in one question time.

The Hon. Penny Sharpe: I can tell the House it is the 1,734th time he has spoken in Parliament.

The Hon. Sarah Mitchell: Someone was listening.

The Hon. Penny Sharpe: I counted every single time.

The Hon. NIALL BLAIR: They were all rolled-gold contributions, as well. 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 the 2019 Koori Knockout carnival? How is the New South Wales Government supporting these important events for Indigenous Australians?

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) (16:38): Absolutely. I thank the Hon. Niall Blair for his question. The 2019 NSW Aboriginal Rugby League Knockout or "Koori Knockout", as it is often referred to, was hosted by the Newcastle All Blacks at the Central Coast Regional Sporting and Recreation Complex at Tuggerah over the October long weekend. It was a really great pleasure to attend on the Saturday for the official opening and a bit of the carnival. I congratulate the organisers from the Newcastle All Blacks on a job particularly well done. The Koori Knockout is one of the largest sporting events involving Aboriginal or Torres Strait Islander people in the country. It provides a positive contribution to the local economy wherever it is held—the Central Coast on this occasion. It also provides significant cultural, health and wellbeing benefits.

I met with members of the Newcastle All Blacks organising committee and founders of the Koori Knockout, community elders from around the State and a large number of stall operators from various stakeholders. On behalf of the New South Wales Government, I congratulate the winners of the various competitions, including the La Perouse Panthers under-12 boys team, the South Taree under-15 boys team, the La Perouse under-16 girls team and the Kempsey Sharks under-17 boys team. I also congratulate the Wellington Wedgetails, winners of the women's knockout, and the South Coast Black Cockatoos, winners of the men's knockout.

The 2019 NSW Aboriginal Rugby League Knockout was the largest in the event's 49-year history. It involved 164 registered teams and more than 3,000 players and coaching staff, representing communities and families from across New South Wales. While I was there, the crowd at Tuggerah was estimated to be over 35,000 people. It was extraordinary. National Rugby League players past and present, such as Cody Walker and Josh Addo-Carr, played with family across the long weekend. That was great to see. These players are important role models and heroes to junior players. The New South Wales Government supported the Knockout through funding from Aboriginal Affairs along with Transport for NSW, the Aboriginal Housing Office and NSW Department of Planning, Industry and Environment, which supported the event by purchasing stalls, providing additional in-kind services or providing further grants. Next year the 2020 Koori Knockout will be the fiftieth anniversary of the carnival. I am delighted to say that the South Coast Black Cockatoos, as the winning team, will host that event. I am sure it will be a great occasion.

PIG DOGGING

The Hon. EMMA HURST (16:41): My question is directed to the Minister for Mental Health, Regional Youth and Women representing the Minister for Agriculture and Western New South Wales. Pig dogging involves training dogs to hunt wild boar. Online images show pigs being grossly mutilated before being re-released into forests and hunters using staple guns to close the wounds of their maimed dogs. During a pig dog training session in 2010, trainers advised that gored dogs could be wrapped in cling film to hold in their intestines. According to the Department of Primary Industries website, "pig hunting with dogs is a popular recreational and commercial activity in NSW." Watching animals suffer in intense pain is not popular and torturing animals is not recreation. Will the Minister update the website to accurately describe pig dogging?

The Hon. Trevor Khan: Point of order: That purported question took something in the order of 45 seconds, of which I think the last sentence could roughly be described as the question. The rest of it was argument. I submit that the question should be ruled out of order.

The Hon. Penny Sharpe: To the point of order: The Deputy President knows full well that members have up to a minute to ask a question and that it is perfectly reasonable for a member to establish context before they ask their final question. I believe that is what the Hon. Emma Hurst was doing and I believe that the question is in order.

The Hon. Niall Blair: To the point of order: The first part of the question gave background. Included in that background was a definition of pig dogging from the department. The member then provided her own opinion as to what she believed the definition should be. That is the part of the question that is argument and

therefore asked the Minister to commit the department to confer with the Hon. Emma Hurst's argument as to what the definition should be. The question clearly contains argument.

The PRESIDENT: I indicate the following: I propose after question time to have another good look at this. There is clearly a body of precedent that a number of previous Presidents have ruled on a number of occasions that a preamble which sets up the foundation for a question is permitted, but the preamble should be a small part of the question. However, in my time here there has also been quite a body of precedent that has allowed questions to be asked for the full 60 seconds. On occasion, members' questions have gone past 60 seconds. In my time as President I have at times had to pull a member up as their time had expired. I have had a close look at the question. The question clearly is, "Will you update your website to accurately describe pig dogging?" That does require a fair bit of foundation as to what the member is referring to in relation to the website.

The part of the point of order where I agree with the Hon. Niall Blair is that, "Online images show pigs being grossly mutilated before being re-released into forests and hunters using staple guns to close the wounds of their maimed dogs," is clearly a matter of argument. I propose to remove the part of the question that is argument. I believe there is enough in the rest of the question for the Minister to be able to answer it. I remind members that questions should be concise and to the point. Yes, we should have a preamble, but the reality is that a Minister needs to be able to clearly understand what question is being asked without argument being contained in the question. The question is in order, subject to my removing that which is argument. I agree with the Hon. Niall Blair.

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (16:46): Wild dogs and feral pigs are a pest and the agricultural damage caused by feral pigs through livestock and crop pasture damage is conservatively estimated at \$100 million annually across Australia. This is a massive issue not only for farmers and land owners but also for our environment. The New South Wales Government understands that responsible, legal pig hunting helps remove feral pigs and is an authorised hunting method on declared public land under the Game and Feral Animal Control Act 2002. The Game and Feral Animal Control Regulation sets additional conditions for the hunting of pigs with dogs on public land, including restrictions on the number of dogs that can be used by an individual and a party, the wearing of a radio transmitter collar or lead by each dog, identification requirements for individual dogs and provisions to ensure that dogs do not chase non-target animal species and are not abandoned. People must comply with the relevant legislation. There are fines and punishments in place for those who do not obey.

Hunting takes place under strict licensing conditions and guidelines, including a New South Wales hunting code of practice. As part of this practice hunters are required to be aware of and comply with all relevant provisions of legislation relating to hunting and animal welfare, not inflict a hunted animal with unnecessary pain or suffering by targeting the animal so that a humane kill is likely, and use dogs for hunting in a way that does not contravene the Prevention of Cruelty to Animals Act [POCTAA]. Contravention of any part of this code may attract a \$550 fine, the suspension or cancellation of a game hunting licence or court action.

POCTAA allows for hunting in a manner that inflicts no unnecessary pain on the animal. If this requirement is not met, hunters may be in breach and face penalties of up to \$5,500 or imprisonment or both. In cases of aggravated cruelty, the penalties are up to \$22,000 or imprisonment or both. Significant resources are expended by the Department of Primary Industries [DPI] Game Licensing Unit to ensure that hunting, including the hunting of pigs with dogs, is conducted safely and legally in New South Wales State forests. In the 2017-18 financial year alone the unit conducted 48 compliance operations, totalling over 2,400 work hours. The DPI Game Licensing Unit and NSW Police have developed a hunter education awareness program called "Hunt safe, hunt legal - be a responsible pig dogger". [*Time expired.*]

REGIONAL TEACHERS

The Hon. MICK VEITCH (16:50): My question without notice is directed to the Minister for Education and Early Childhood Learning. Given the Government's decision to close regional correctional facilities in Ivanhoe and Brewarrina in western New South Wales, will the Minister give an assurance to the Isolated Children's Parents' Association that this decision will not result in a reduction of teacher numbers and support for local schools in these towns?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:51): I thank the honourable member for his question, an important question related to those two communities in western New South Wales. I say at the outset that we have made some commitments already this year, particularly around drought-affected communities and retaining teacher numbers. It would be my inclination that those schools would be covered under that particular commitment, but, more broadly, in relation to any concerns that the Isolated Children's Parents' Association [ICPA] have—it is a fantastic organisation; it comes and visits us quite a lot at Parliament and I believe it is due to spend some time with me and some of my colleagues shortly—I am happy to

discuss any issues that it may have. We meet regularly and I have been able to attend its concerts in the past, which was great. I always listen to any issues the association has on behalf of the communities that it represents and this issue will be no different.

SCHOOL BUILDING PROGRAM

The Hon. NIALL BLAIR (16:51): My question is addressed to the Minister for Education and Early Childhood Learning. How is the New South Wales Government delivering on its \$6.7 billion school building program?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:51): I thank the member for his question. Around the State children are returning to their classrooms after the October school holidays. For some there is much excitement; they are walking through the school gates to experience school life with brand-new facilities and the opportunities that they provide. Yesterday, with the Premier, I was able to visit Merrylands Public School to see the new learning spaces that the school is enjoying. It was great to meet the principal of Merrylands Public School, Bronwyn York, and I give a special mention to school captains Sunny and Artiola, who proudly showed us the new addition to their school. With its 10 new classrooms, Merrylands Public School is just one of the many schools with new facilities that will be opening throughout this term.

At Auburn North Public School 10 classrooms are opening to students. At Belmont High School there are four new special education classrooms and a sensory garden in addition to the new commercial and domestic kitchens for vocational education and training students, a new canteen, a covered outdoor learning area and upgrades to the hall and administration building, which have already been made available to the school community. At Denistone East Public School students will have access to six new classrooms and a refurbished administration block, and our partnership with Royal Life Saving is on track to deliver the upgraded pool facilities. During this term the new facilities at Rosehill Public School will also open, with 18 new classrooms, a new sports court and an extension of the administration building.

Quakers Hill East Public School will open 12 new classrooms as well as a new performance studio, a new digital hub and a refurbished administration building. I am also pleased to say that students at Old Bar Public School will benefit from the new permanent two-storey building that features eight classrooms and a new common learning area. I was able to visit that school, with the great local member up there, when I was assistant education Minister and it was fantastic to listen to the school community, particularly the students, tell both me and Stephen Bromhead how excited they were about the new classrooms coming on board, so I can imagine the excitement that they are feeling knowing that it is not long until they will be able to enjoy them.

This Government's investment in building new and upgraded schools is unprecedented. Across the State school communities are benefiting from our \$6.7 billion school building program. Our Government is building new permanent learning spaces to ensure that our children are afforded the very best education. These are classrooms that provide the very latest in educational pedagogy and technology and they are fully air-conditioned. We want to ensure that students learn in comfortable learning environments so that they are provided every opportunity to be their best. In 2019 alone our Government will open 31 new and upgraded schools, and this is just the start as 190 new and upgraded school projects are delivered through our \$6.7 billion infrastructure program. As Minister, it is such an exciting thing to do to visit these schools to see the new learning facilities. It is great work underway.

[Business interrupted.]

Visitors

VISITORS

The PRESIDENT: I welcome to the public gallery our former colleague the Hon. Rick Colless and, more importantly, Mrs Geraldine Colless. You are both most welcome.

Questions Without Notice

TEACHER RECRUITMENT INCENTIVES

[Business resumed.]

The Hon. MARK LATHAM (16:54): My question is directed to the Minister for Education and Early Childhood Learning. I draw the Minister's attention to the announcement last week by the Victorian Government that it is paying an extra \$50,000 a year to ensure that its best teachers are in the State's toughest schools, supported by the recruitment of Victoria's best principals, turnaround teams and school leaders of excellence from outside the teaching profession. Why are these policies not being implemented in New South Wales, especially given the

new information from the Department of Education that 12 per cent to 15 per cent of our government schools are locked into an environment of massive problems and disadvantage?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:56): I thank the honourable member for his question about an issue that he is clearly very passionate about because I know it is an issue that he has raised in the House before. He has asked me some specifics in relation to the announcement by the Victorian Government last week, which obviously I am aware of. One of the important things for me as education Minister in New South Wales is to look at what other States are doing and to take on board their experience. It is certainly something that I will be happy to discuss with my Victorian colleague when I next meet him when education Ministers get together, and to get some feedback as to why the Victorian Government has made that decision and, ultimately, what it sees the improvements are by going down that path.

More broadly in response to the member's question, we all know that teaching is a difficult but rewarding profession. We know that New South Wales teachers are among the best in the country, but we also know that teachers should be rewarded for the hard work that they do. As the member knows, we have brought in standards-based pay—I have referred to that in the House before—so that teachers who are doing a great job will have the opportunity to have their pay increased every year. We have also begun our accreditation for highly accomplished and lead teachers, requiring them to demonstrate that their practice consistently meets each of the standard descriptors across a range of settings, which facilitates quality teaching and improved educational outcomes. Highly accomplished or lead accreditation is remunerated at Band 3 of the standards-based remuneration structure for teachers and rewards teachers who wish to remain in the classroom. This requires teachers to demonstrate that their practice consistently meets each of the standards descriptions.

Our best teachers should be the best paid; that was a key finding of a recent report by the Grattan Institute. As I said, we have moved towards standards-based pay here in New South Wales and I know that Victoria is making some moves in relation to that as well. I am always looking at ways to reward our best and brightest teachers, to keep them in front of our kids and, as I said, I will be interested to see the outcomes of the decisions Victoria has made. No doubt I will have the opportunity to discuss that with James Merlino, the Victorian education Minister, at some point in time.

The Hon. MARK LATHAM (16:58): I ask a supplementary question. In seeking advice from Mr Merlino, will the Minister specifically ask about the Victorian practice of bringing outside school leaders into the schools—people from outside the profession—overcoming the paradox in many education systems that the best classroom teachers are promoted out of the classroom into the principal's office and they are lost to classroom excellence, which is so desperately needed in these disadvantaged schools?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (16:58): I thank the member for his supplementary question. It is a good question on an issue that I too find often when I visit schools and speak to principals, deputy principals and senior staff. They do miss being in the classroom and I think that is part of the challenge that we have with how our schools are operating.

Like I said, as education Minister it is important to me to look at what other States are doing, look at the world's best practice and look at the research bases around why we are doing what we are doing in respect of education. We know the strength of the teacher in our schools standing in front of a classroom each and every day is incredibly important to student outcomes and success. A lot of research shows that. I am always open minded to looking at what other States are doing. We share that information quite regularly when we get together as education Ministers because this is about best outcomes for kids. There are opportunities to look at what other States are doing and to learn from other experiences while still having that New South Wales perspective. It is important to keep that in mind.

We are doing a lot in this space to increase teacher quality. We want to make sure our best and brightest are staying in front of our students in the classroom. This year we have introduced our Teacher Success Profile, which I have mentioned before in the House, relating to the requirements for those who are currently studying when they want to come and teach in our public schools. We want them to have good results in their time at university and we want them to have the qualities and skills sets that we know are necessary to be great teachers. A lot of work is already happening in the space, but I acknowledge that there is more work to do. As Minister, I am happy to look at what some of the best practices are.

CHATSWOOD SCHOOLS

The Hon. Anthony D'Adam: Mr President—

The Hon. Don Harwin: Mr President—

The Hon. Walt Secord: The Hon. Anthony D'Adam had the call.

The PRESIDENT: Order! The Hon. Walt Secord will not tell me who I should give the call to. I have warned him about that before. I decide who gets the call and when they get the call. It is not for him to tell me.

The Hon. Don Harwin: Mr President—

The PRESIDENT: I give the call to the Hon. Anthony D'Adam. He did seek the call first on this occasion. However, I do not like being told who to give the call to.

The Hon. ANTHONY D'ADAM (17:00): My question is directed to the Minister for Education and Early Childhood Learning. I refer to her previous parliamentary answers in relation to Chatswood Primary School and Chatswood High School and her comments that:

The department will continue to monitor population and development trends so that it can plan to meet enrolment needs ...

Does she still stand by these remarks, given confirmation that parents are enrolling their kids elsewhere?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (17:01): I thank the member for his question in relation to the schools in Chatswood, which he raised with me a few weeks ago. As I said then, and I will repeat that same information now, this is something that we are working with the school community on in relation to the upgrades of those schools. Since we were last sitting and the member last raised this issue with me I know that the head of School Infrastructure NSW, Anthony Manning, has been in touch with the P&C. My understanding is that he met with the head of the P&C and some of the other parent representatives at Chatswood Public School yesterday. That is the advice that I have received. We are working with the community in respect of the redevelopment. We will continue to keep it involved in the process. As I said to the member when he asked me a few weeks ago, that still stands.

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

Supplementary Questions for Written Answers

REGIONAL TEACHERS

The Hon. WALT SECORD (17:02): My supplementary written question for written answer is directed to the Minister for Education and Early Childhood Learning and emanates from the question asked by my colleague the Hon. Mick Veitch. In relation to the Isolated Children's Parents' Association and her reference to the meetings with that organisation, how many schools in New South Wales are close to closure due to reduced enrolments under New South Wales education guidelines? Will she provide a list of those schools?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. COURTNEY HOUSSOS: I move:

That the House take note of answers given to questions this day.

SCHOOL AIR CONDITIONING

The Hon. COURTNEY HOUSSOS (17:03): Today the Labor Opposition asked a series of questions about the Government's \$500 million program to provide air conditioning to New South Wales schools. This was a significant election commitment and the first round of applications was rushed out prior to the State election. Answers to questions on notice from budget estimates show us that the progress on this program has been incredibly slow—a snail's pace would be an overstatement of the progress of this program. As of September 27 schools—

The Hon. Walt Secord: How many?

The Hon. COURTNEY HOUSSOS: Twenty-seven schools of a proposed 1,300 had air conditioning installed as of September. It is now spring. We are going into the hottest period in summer. Students in New South Wales schools will be sweltering through summer as a result of the inaction of this Government and its failure to deliver this program. We know and research shows that the educational outcomes for kids drop with every degree that temperatures increase in the classroom. This Government, instead of installing air conditioning in classrooms, instead of getting this work underway, is too busy promoting its election commitment and pushing it off to the never-never. In budget estimates we asked how long students in New South Wales should be expected to wait. In the same response today the Minister said that it will take five years to roll out this program.

We spoke about this in the House during the last sitting period. We know that the department is instructing schools to go around asbestos instead of removing it to save money. We now know that the pace is so

slow that these schools will not have it in time for summer; they will not have it in time for the hottest period when it is required. This announcement was rushed out before the election and students in New South Wales will not be benefiting from the program as they should be. A front page story in *The Sydney Morning Herald* may have prompted some activity from the department because dramatically different figures were provided by the Minister today than were provided as answers to questions on notice.

The kids of New South Wales deserve better. There are schools where no permanent classrooms are air conditioned. They deserve to have air conditioning, they deserve to have it now, they deserve to have it in time for summer. It is day two of term four. There are 10 weeks to go to get construction underway so that it can at least be in time for January next year.

REGIONAL TEACHERS

The Hon. MARK LATHAM (17:06): Continuing the take-note debate on education answers, I recognise that air conditioning, new school facilities and modern buildings are vital in the education space, but in reality the greatest need in New South Wales is to lift the quality of classroom programs. In the NAPLAN standardised test the data shows clearly that New South Wales has fallen behind Victoria and the Australian Capital Territory and, in some of the subjects, Western Australia. If you look at the international Programme for International Student Assessment benchmarking, you see that the results have collapsed in the last available study over a 10-year period. Again, we are substantially behind Victoria.

I am not one known for supporting and recommending the policies of the Victorian Government in certain areas, but here—when it comes to evidence-based programs in schools—in the core curriculum it is getting it right. We should not be ashamed of the fact that in New South Wales we acknowledge that Victoria seems to have the best of both worlds. In New South Wales former Minister Adrian Piccoli introduced the Local Schools, Local Decisions framework. School autonomy is generally a good thing for getting results, but it has to have centralised disciplines to scale up success strapped around it, to demand evidence-based teaching in the classroom, the programs and pedagogy that work in practice. We have not done that successfully in New South Wales.

Victoria seems to have a scaling up discipline based on a couple of things. One thing is the distribution of its High Impact Teaching Strategies [HITS] document, the things that work in the classroom and an expectation that they will be used in Victorian schools. The other is the financial incentives of making sure they get the best teachers into the tougher schools. It has to be common sense. Where the toughest job exists in any area of government service you want the best people to do that job, particularly when it is as important as lifting disadvantaged kids in disadvantaged schools out of that dreadful cycle of disadvantage. This is critical work. The announcement the Victorian Government made last week about a \$50,000 bonus for the best teachers getting into urban disadvantaged schools was preceded by an announcement a few months ago that it would pay an extra \$50,000 to get the best teachers into disadvantaged country schools. It has done that for urban and non-metropolitan areas.

It is a credit to Victoria that it has recognised financial incentives for the best teachers. There is nothing more important. If you go to a disadvantaged school the worst thing you will ever hear is the career advisor saying to a kid, "What are you going to do?", and the kid replying, "I will be unemployed like dad and grandad before me." We have to get the best teachers, the best programs, the best resources into these schools. Victoria has done it in a creative way, not only the financial incentives. It has brought in the best principals and what it calls the "turnaround teams"—experts who come in and basically force, cajole, whatever it takes, to get the school to upgrade its results. It is also bringing in school leaders from outside the teaching profession so that the best classroom teachers stay there, face to face with the students. The buildings matter, but the classroom programs are our most pressing need. We can learn a lot from south of the border.

MUHAMMAD ZAHAB

SCHOOL AIR CONDITIONING

PIG DOGGING

The Hon. WALT SECORD (17:09): I make a brief contribution relating mainly to the area of education. I am disappointed that the Minister was unable to provide an answer involving the ISIS fighter who taught mathematics in the New South Wales education system. He taught maths in western Sydney. He left Australia in 2015 and died in Syria in 2018. He was the centre of a network. I am surprised that the Minister did not have an answer by the end of question time. This has been a hotly debated and discussed issue in the community since late last month. It was the subject of an explosive documentary on *Four Corners*. It is mind-boggling that the Minister did not have a note, or was unable to provide an answer, involving this person who taught maths in New South Wales. That is extraordinary.

I make a couple of comments about air conditioning in schools. Last month the Minister proudly said that 27 out of 1,300 schools have air conditioning. This week she has come back to Parliament and boasted that 48 schools have air conditioning. It will be years before students in New South Wales are able to learn in comfort. I want to make a comment about educational standards in New South Wales, which the Hon. Mark Latham touched on. New South Wales is slipping again behind Victoria on education. There was a time in the 1990s when New South Wales and the Australian Capital Territory were equal to Finland. We are now in the lower teens of the league table, behind countries such as Bulgaria and even the United States of America. I grew up in Canada. I saw the American education system. It is extraordinary that students in New South Wales have lower literacy and numeracy levels than students in the United States.

Finally, on a different topic, I refer to pig dogging, which was raised by the Hon. Emma Hurst. It is an abhorrent practice. I would have loved to have heard the Minister say that it is an abhorrent and savage practice, and that it should be banned in New South Wales.

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (17:11): Earlier it was remiss of me to not acknowledge our former colleague the Hon. Rick Colless and his lovely wife, Geraldine, who are in the public gallery. I will be brief because I know more interesting things are on the agenda later this afternoon, including the valedictory speech of the Hon. Niall Blair. In relation to our air conditioning Cooler Classrooms Program, it is important to put on the record that this was not an election commitment; it was part of our 2018-19 budget before the election. The time frame and the rollout for this project was always five years. We have never had a program like this before. We are doing this because we want to invest in school infrastructure and an air conditioning and fresh air ventilation program for our New South Wales schools.

A number of former members are in the public gallery. I almost feel the need to invoke our former leader, the Hon. Duncan Gay, and say, "You just don't like good news. You don't like the fact that we are putting in air conditioning. You don't like the fact that we are doing this because you didn't put any in."

The Hon. Trevor Khan: Point of order: Members opposite listened in silence to other members, but as soon as the Minister started to speak the Hon. Courtney Houssos almost launched from her seat. The Minister is entitled to respond to the debate and she should be heard in silence.

The PRESIDENT: I uphold the point of order. The Hon. Courtney Houssos was heard in silence during her contribution to the take-note debate. I would have insisted that she be heard in silence had there had been any interjections. The Minister has limited time and she should be heard in silence. I do not want to take up any more of her time.

The Hon. SARAH MITCHELL: As I said earlier, of the 900 schools that have been approved, 741 have undergone the extensive audit and due diligence processes. We are installing these systems. We have always said the time frame on this project will be five years. The number will increase more rapidly as the program continues to roll out. We are getting on with the job. We are getting on with the commitment that we made.

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

Motion agreed to.

Deferred Answers

RENEWABLE ENERGY

In reply to **Ms ABIGAIL BOYD** (17 September 2019).

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women)—The Minister provided the following response:

The New South Wales Government recognises that renewable energy, along with energy storage and gas, will play a critical role in the State's energy transition as coal-fired power stations retire. All New South Wales coal-fired power stations are due to reach the end of their technical life and retire prior to 2050.

As at August 2019, 14 renewable energy projects totalling about 1,900 megawatts [MW] of capacity, worth about \$3 billion, were under construction. Additionally, 103 distinct renewable energy projects totalling 18,850 MW are either approved or progressing through the New South Wales planning system, which represents about \$25.4 billion in potential investment.

To unlock this pipeline of new generation, the New South Wales Government is working to deliver three energy zones under the Transmission Infrastructure Strategy released in November 2018. These zones could unlock up to 17,700 MW of new generation projects and support up to 2,000 construction jobs each year, injecting \$23 billion in investment into regional New South Wales.

The New South Wales Government is also supporting the clean energy sector through new and innovative programs. These programs include the \$75 million Emerging Energy Program, the \$50 million Empowering Homes Program, and the \$30 million Regional Community Energy Program.

BIRRONG GIRLS HIGH SCHOOL

In reply to **the Hon. ANTHONY D'ADAM** (17 September 2019).

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning)—The Minister provided the following response:

The principal of Birrong Girls High School was physically assaulted by a parent during a student disciplinary meeting. This issue was immediately reported to the police. I am advised that the school was not closed as a result of the incident. Operations were disrupted earlier in the day due to an unrelated plumbing issue. I am also advised that the parent was charged by the police and is currently on bail with an order not to go near the school or the principal. Ongoing support is being provided to the principal and to the school staff.

FIRE PERMITS

In reply to **Reverend the Hon. FRED NILE** (17 September 2019).

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning)—The Minister provided the following response:

I am advised:

Fire and Rescue NSW has engaged extensively with Fire Support NSW on a range of issues related to applications for fire permits, including in relation to hazard reduction activity on Avondale Golf Course.

The Fire Support NSW initial application and prescribed burn plan for Avondale failed to satisfy requirements for a fire permit. After further consultation, Fire and Rescue NSW conducted a site inspection on 5 September 2019, resulting in a number of conditions being applied to the fire permit which had not been included in the original application.

Following changes by Fire Support NSW to their application to enable it to meet requirements, on 12 September Fire and Rescue NSW issued a 21-day fire permit from 12 September 2019 to 3 October 2019.

The safety of the people of New South Wales is paramount. FRNSW and RFS have a statutory responsibility for the prevention, mitigation and suppression of fires in New South Wales. Please refer to the response to the Legislative Council question on notice 2474, published 21 November 2018.

MATTHEW HANA

In reply to **the Hon. WALT SECORD** (17 September 2019).

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning)—The Minister provided the following response:

This is an operational matter for the NSW Police Force.

SCHOOLS ASBESTOS MANAGEMENT PLAN

In reply to **the Hon. ADAM SEARLE** (18 September 2019).

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning)—The Minister provided the following response:

When the Cooler Classrooms Program delivers an air conditioning and fresh air ventilation system in a room where the Department of Education's Asbestos Register has records of bonded asbestos, the program will design the systems to avoid disruption of hazardous materials.

The comments made on 11 September were in relation to bonded asbestos.

If friable asbestos is found, the program will pause the delivery of the project until the appropriate remediation or removal work is completed by the local Asset Management Unit in accordance with the department's Asbestos Management Plan and Safe Work NSW. Installation works will recommence after the required remediation or removal work takes place.

SCHOOLS ASBESTOS MANAGEMENT PLAN

In reply to **the Hon. PENNY SHARPE** (18 September 2019).

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning)—The Minister provided the following response:

Friable asbestos which can become airborne is stabilised and remediated as a priority.

In the majority of cases, asbestos-containing materials [ACM] are typically bonded products that do not readily release fibres (non-friable) and are considered safe if left undisturbed. Any known friable ACM, which can readily release fibres, is immediately removed.

HUSKISSON HOLY TRINITY CHURCH

In reply to **Mr DAVID SHOEBRIDGE** (18 September 2019).

A substantial amount of information was considered by the State Heritage Register Committee at their February meeting.

A complete list of presentations and reports that the State Heritage Register Committee considered at the meeting can be found in the Minutes at this link: <https://www.environment.nsw.gov.au/resources/heritagebranch/heritage/heritagecouncil/state-heritage-register-committee-minutes-2019-february-06.pdf>

SCHOOLS ASBESTOS MANAGEMENT PLAN

In reply to **the Hon. WALT SECORD** (18 September 2019).

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning)—The Minister provided the following response:

The Department of Education has well established processes in place for managing asbestos. In accordance with the Asbestos Management Plan, the department's Facility Manager, usually the school principal, has the primary responsibility for managing the school. This includes the day to day reporting of issues that need repair or intervention and ensuring that works are undertaken to physical assets according to the school's Asbestos Register.

The Facility Manager is supported by the department's Asset Management Unit which regularly undertakes inspections of school sites, provides advice and manages construction works.

When asbestos containing material is disturbed or the presence of asbestos is reported, immediate action is taken by the department to protect public health, including isolating the area and engaging a licensed contractor to make safe and remediate the site in line with NSW Work Health and Safety legislation and the department's Asbestos Management Plan.

In the majority of cases, asbestos-containing materials [ACM] are typically bonded products that do not readily release fibres (non-friable) and are considered safe if left undisturbed. Any known friable ACM, which can readily release fibres, is removed.

DEPARTMENT OF EDUCATION HEALTH AND SAFETY DIRECTORATE

In reply to **the Hon. MARK BANASIAK** (18 September 2019).

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning)—The Minister provided the following response:

All complaints received by the Department of Education are managed in accordance with the Complaints Handling Policy. Information about the number of complaints received can be found in the department's annual report at: <https://education.nsw.gov.au/about-us/strategies-and-reports/annual-reports>

FIREARMS REGISTRY

In reply to **the Hon. ROBERT BORSAK** (18 September 2019).

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning)—The Minister provided the following response:

I am advised:

Refer to my media release of 19 August 2019.

BAE SYSTEMS

In reply to **Ms ABIGAIL BOYD** (18 September 2019).

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)—The Minister provided the following response:

United Kingdom-based BAE Systems is one of the largest international defence, aerospace and security companies in the world—employing over 85,000 people in more than 40 countries.

This partnership will allow us to create the high tech jobs we need to keep New South Wales as the number one jobs market in the nation.

The New South Wales Government will undertake the appropriate due diligence on all potential industry participants in the Aerotropolis.

SCHOOLS ASBESTOS MANAGEMENT PLAN

In reply to **the Hon. GREG DONNELLY** (18 September 2019).

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning)—The Minister provided the following response:

Teachers are not required to participate in any way during asbestos removal which is usually undertaken out of school hours.

Where asbestos removal is undertaken when before and after school care is on site, it is removed in strict adherence to advice from suitably qualified hygienists to ensure there is no risk to health and safety.

ESSENTIAL ENERGY JOB CUTS

In reply to **the Hon. ADAM SEARLE** (19 September 2019).

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)—The Minister provided the following response:

I refer you to my answer in Legislative Assembly Question Time on Tuesday 20 August 2019.

NAPLAN TESTS

In reply to **the Hon. PENNY SHARPE** (19 September 2019).

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning)—The Minister provided the following response:

As of 26 September 2019, 322 schools across New South Wales had opted to participate in the NAPLAN Online School Readiness Test [SRT]. This includes 159 New South Wales Government Schools, 111 schools from the Catholic sector, and 52 schools from the Independent sector. 245 of the 322 schools had already completed SRT by 26 September. This activity is to prepare schools who are considering completing NAPLAN Online in 2020. It allows schools to test devices and IT infrastructure, and provides an opportunity for schools to identify additional support required to successfully transition to NAPLAN Online.

On 28 June 2019, the Education Council made the decision to extend the transition to NAPLAN Online to 2021. On 3 July 2019, New South Wales schools were sent information about SRT, with schools having the opportunity to opt in if they felt positioned to do so. Schools who opt in to participate in SRT are provided with the flexibility to complete the testing within a three week window. This provides the opportunity for schools and teachers to plan the SRT event, minimising disruption to regular classes. There have been very few issues with the online assessment during the SRT (two instances of schools unable to finalise test sessions). No school or student reports will be issued for the SRT.

All 2020 NAPLAN Online schools are encouraged to participate in practice tests during late March 2020 to early April 2020. This practice testing helps prepare students by making them familiar with the online testing format.

MURRAY-DARLING BASIN WATER SHARING PLANS

In reply to **Mr JUSTIN FIELD** (19 September 2019).

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women)—The Minister provided the following response:

The following plans have been reviewed by the Natural Resources Commission as part of its role under section 43A (3) of the Water Management Act 2000:

- *Water Sharing Plan for the Barwon-Darling Unregulated and Alluvial Water Sources 2012*
- *Water Sharing Plan for the Border Rivers Regulated River Water Source 2009*

The *Water Sharing Plan for the Peel Valley Regulated, Unregulated, Alluvial and Fractured Rock Water Sources 2010* is currently under review by the Natural Resources Commission as part of its role under section 43A (3) of the Water Management Act 2000.

Recommendations of a review by the Natural Resources Commission in 2015 of the following water sharing plans have also been considered in development of proposed replacement plans:

- *Water Sharing Plan for the Lower Gwydir Groundwater Source 2003* (commenced in 2006)
- *Water Sharing Plan for the Lower in Lachlan Groundwater Source 2003* (commenced in 2007)
- *Water Sharing Plan for the Lower Macquarie Groundwater Sources 2003* (commenced in 2006)
- *Water Sharing Plan for the Lower Murray Groundwater Source* (commenced in 2006)
- *Water Sharing Plan for the Lower Murrumbidgee Groundwater Sources 2003* (commenced in 2006)
- *Water Sharing Plan for the Upper and Lower Namoi Groundwater Sources 2003* (commenced in 2006)

COMPANION ANIMALS AND RENTAL PROPERTIES

In reply to **the Hon. EMMA HURST** (19 September 2019).

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business)—The Minister provided the following response:

I am advised by the Hon. Kevin Anderson, MP, Minister for Better Regulation and Innovation of the following:

There is no term in the Residential Tenancies Act 2010 that prohibits keeping a pet, or that requires landlord permission before keeping a pet.

Rental properties that are part of a strata scheme may be subject to specific strata by-laws which relate to the keeping of animals. The landlord or agent must provide you with the by-laws for the building within seven days of moving in.

It is illegal for a landlord or strata to refuse you keeping an assistance animal, as defined under the Companion Animals Act 1998 (NSW). Assistance animals are specially trained and need to be registered to assist a person with a disability.

RELIGIOUS FREEDOM

In reply to **Reverend the Hon. FRED NILE** (19 September 2019).

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)—The Minister provided the following response:

I am advised:

The Commonwealth Attorney-General's Department released a package of draft legislative reforms on religious discrimination for public consultation on 29 August 2019. The draft Religious Discrimination Bill 2019 makes discrimination on the ground of religious belief unlawful in a wide range of areas of public life. The Government is considering the bill package to note any implications it may have on New South Wales legislation.

The Australian Law Reform Commission [ALRC] is inquiring into religious exemptions in anti-discrimination legislation including laws in New South Wales. The New South Wales Government will consider the recommendations of the ALRC inquiry, once the review is completed.

BRADFIELD SCHEME

In reply to **the Hon. PENNY SHARPE** (24 September 2019).

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women)—The Minister provided the following response:

The Bradfield Scheme, although it has gone through several variations, involves turning rivers west in Queensland, not New South Wales. The rivers typically cited include the Herbert, Burdekin and Tully Rivers, all of which are in Queensland.

WaterNSW has not conducted any modelling into turning these three Queensland rivers west and how it might affect fisheries in Queensland.

AFRICAN SWINE FEVER

In reply to **the Hon. MARK PEARSON** (24 September 2019).

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women)—The Minister provided the following response:

I am unaware how my role in developing legislation in New South Wales is affecting the spread of African swine fever [AFS] overseas as suggested.

While the Commonwealth has responsibility for border surveillance and to police the introduction of meat and illegal feed materials, the NSW Department of Primary Industries along with Local Land Services and local councils have targeted compliance, auditing and education programs to help manage the risks of swill feeding. For the 2018/19 financial year, New South Wales Local Land Services and local councils undertook 312 compliance audits for swill feeding. This represents a 93 per cent increase in swill compliance activity in New South Wales on the previous financial year. These audits provide an opportunity to identify any swill feeding practices and to talk directly with target stakeholders educating and providing them with awareness materials on swill feeding and the risk of introducing exotic diseases such as AFS.

The NSW Department of Primary Industries is also undertaking a range of other activities to enhance prevention and preparedness for AFS, including:

- Development of new swill feeding communication resources (including brochures, posters, website material and newspaper advertisements) to target specific groups such as peri-urban producers.
- Working with New South Wales farmers and pig producers to progress farm biosecurity planning so that individual pig producers implement the biosecurity practices to prevent diseases like ASF entering their farm and have preparedness to respond if the disease was to occur in Australia.
- Mapping the locations and movements of pigs from New South Wales properties, including interstate movements.
- National collaboration of Chief Veterinary Officers from all jurisdictions in Australia to share and develop current and future resources for ASF preparedness.
- New South Wales membership on the National Technical Reference Group who are currently reviewing the national Ausvetplan disease strategy for ASF.
- Emergency response planning projects to develop resources needed in the event of an ASF outbreak, such as tracing and surveillance plans, and destruction, disposal and decontamination plans.
- Research projects on behavioural insights into reporting, biosecurity planning and food waste practices.

IMMIGRATION

In reply to **the Hon. ROD ROBERTS** (24 September 2019).

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)—The Minister provided the following response:

I refer you to my previous written response to the Hon. Rod Roberts' Question without Notice of Thursday 6 June 2019 during Legislative Council Question Time.

OLD-GROWTH FORESTS

In reply to **the Hon. MARK BANASIAK** (24 September 2019).

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women)—The Minister provided the following response:

The old growth mapping referred to in the question occurred prior to 2000. The current work in this area is being undertaken by the Natural Resources Commission, and therefore any questions on that process should be referred to the Minister for Planning and Public Spaces.

KELLYVILLE HIGH SCHOOL

In reply to **the Hon. ANTHONY D'ADAM** (24 September 2019).

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning)—The Minister provided the following response:

The Department of Education is committed to maintaining the health and wellbeing of all staff and students.

Kellyville High School is in the Castle Hill electorate.

Allegations of bullying at Kellyville High School are being managed in accordance with the department's Complaints Handling policy. Some matters have been referred to the department's Employee Performance and Conduct Directorate for assessment.

The assessment of these matters is the responsibility of the relevant Director, Educational Leadership and, where appropriate, the department's Employee Performance and Conduct Directorate. There has been no interference.

*Written Answers to Supplementary Questions***DROUGHT ASSISTANCE**

In reply to **the Hon. WALT SECORD** (26 September 2019).

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning)—The Minister provided the following response:

The Department of Education has a number of measures in place to provide additional support to schools in areas of drought that may be affected by water or heat stress.

There are currently 45 schools that receive bottled water from their local asset management unit to ensure staff and students always have access to clean, quality water. Schools can also purchase their own bottled water and claim the cost back through their local asset management unit.

In relation to schools that rely on evaporative air coolers, the department, via the local asset management units provide bulk water deliveries to schools affected by drought. In addition, schools that are included in the Cooler Classrooms program, will have their evaporative units replaced in eligible classrooms and libraries.

*Committees***STANDING COMMITTEE ON LAW AND JUSTICE****Government Response**

Mr DAVID SHOEBRIDGE (17:14): I move:

That the House take note of the Government response to Report No. 67 of the Standing Committee on Law and Justice entitled *2018 review of the Workers Compensation Scheme*, tabled 12 February 2019.

Debate adjourned.

STANDING COMMITTEE ON LAW AND JUSTICE**Government Response**

Mr DAVID SHOEBRIDGE (17:14): I move:

That the House take note of the Government response to report No. 68 of the Standing Committee on Law and Justice entitled *2018 review of the Compulsory Third Party Insurance Scheme*, tabled 12 February 2019.

Debate adjourned.

PORTFOLIO COMMITTEE NO. 5 - INDUSTRY AND TRANSPORT**Reports**

Debate resumed from 6 August 2019.

The Hon. COURTNEY HOUSSOS (17:15): As a member of Portfolio Committee No. 5, which inquired into and reported on the *Sustainability of the Dairy Industry in New South Wales*, I make a contribution

to the debate. From the outset I talk about the structure of the New South Wales dairy industry. The dairy industry in New South Wales is clearly in crisis and that was definitely what the committee heard. It has almost been 12 months since the committee conducted this important inquiry. The committee had a truncated timeline due to it being the end of the last parliamentary sitting period. One of the most important recommendations of the committee was the need for further inquiries into this area. New South Wales has a proud history of being a dairy-producing State.

Dairy production is undertaken year round. It is not like other States—for example, Victoria has seasonal production. This State produces milk year round, which has increased costs and which puts burdens on farmers who in non-seasonal periods need to have greater herd numbers to allow cows to go through a non-production period. This means that there are added burdens that will increase the cost of production per litre of milk. The committee heard that the impact of drought has been particularly hard as a result of this year-round production. It has caused a dramatic increase in costs, particularly of fodder, and across a range of other inputs, for example, electricity prices. The committee received evidence that 12 months ago fodder cost increased up to 800 per cent with no ability for farmers to seek a price increase in the cost of milk.

Major retailers have implemented different schemes of drought levies. The committee heard evidence about a number of different drought levies and the relative levels of assistance that they were providing. I would say it is largely classed as inadequate irrespective of the type of drought levy that was cast. One example provided to the committee was that 0.0947 cents of a litre from the drought levy was going back to the farmer. That does not provide them with a meaningful contribution towards their increased costs. What really struck me through this inquiry was a lack of transparency across the supply chain. The committee held a number of hearings and it heard about rumour-mongering in some parts of the State. We heard in the south of State that the farmers blamed the production elements, the processors. They said that was what the committee needed to be focused on. In other parts of the State they were talking about the major retailers, the supermarkets and the fact that they were a real stopper on the end. One-dollar-a-litre milk has been lifted from all major retailers now. One-dollar-a-litre milk is no longer for sale. That is a successful move in the industry. A fair price should be paid and I think most consumers would like to pay a fair price for their milk.

The contradictory evidence we received around the State was a real issue. That comes back to the need for a further inquiry. We received evidence from the Australian Competition and Consumer Commission [ACCC] that there are no anti-competitive practices at play. That evidence was contradicted by the dairy farmers who said there is a shortfall in the production. The latest figures show there is a 200,000-litre shortfall in production across New South Wales. The final price the consumer pays acts as a stopper at the end point of production and a real lack of transparency exists about how the costs are being distributed across the supply chain.

We heard evidence 12 months ago that the production costs were outstripping the returns on production. That puts dairy farmers in an impossible situation. Dairy farmers who had been on their farms for up to five generations and who were deeply committed to the industry consistently told the committee that they had to consider walking off their farms because the price was not sustainable. It is really a question of how long they can sustain that.

A genuine structural problem exists across the industry that the Government needs to address. It cannot be addressed by short-term strategies. The enterprising group of farms behind the Farmers Own branded milk that is sold in Woolworths—and I do name them—did an incredible job of contacting the Woolworths board directly. They did not contact the board through the normal channels. I pay tribute to Tim Bale, who led the charge. Tim is a real estate agent in Taree who was forced to seek off-farm employment as a result of the situation with his dairy farm. He brought the farmers together in the Manning Valley. They contacted the Woolworths board directly at home. It took them five years to negotiate a fair price. On average, they were paid only about 4c a litre more but it was the structure of the contract and the guaranteed income source that allowed them to invest in technologies and gave them security and sustainability going forward.

By visiting a farm—and I thank them for allowing us to visit—we saw first-hand the results of that contract structure and the arrangement of the Farmers Own milk. It showed that re-regulation of the industry is not required. The farmers want a fair price and a fair negotiation. That is the role that government should play. Through the work I did on the committee—and I pay tribute to the then shadow Minister, the Hon. Mick Veitch, my Labor colleague—we then came up with Labor's election policy for a dairy and fresh produce price commissioner to directly address the challenge of the lack of transparency in the supply chain. That is a central challenge that the Government should respond to.

I note that the Government has announced its response to the recommendation to implement a milk or dairy commissioner. A commissioner has been appointed. We asked some questions about that during budget estimates and we will watch it closely. I do not think that a commissioner who is not independent, has only four

staff and no compulsory powers will be able to achieve the incredible task of turning around the dairy industry in New South Wales. We will certainly watch that closely.

The Farmers Own case study indicates where we should be going with our response. It should be about obtaining a fair price for those participating in the supply chain. It should be a fair price for the farmer. It should be a fair price for the processor and for the supermarket. I know that is not difficult. The Farmers Own example shows that if we can get everybody in the same room to negotiate a fair price we can ensure that we maintain a dairy industry in New South Wales. That is so important to the people of this State.

As a Labor member of the committee, I was struck by the testimony given by farmers in Taree about the extraordinary lengths they went to in forming a collective and obtaining special dispensation from the ACCC to establish a collective bargaining agreement. I was also struck by the unfair negotiating practices. They were old-fashioned union-busting techniques. I am not sure the old cockies in Taree liked me telling them that but it is the truth. I believe that with more transparency across the supply chain we can get a fairer outcome for everybody.

The Hon. Rick Colless, who was in the public gallery earlier, was a colleague on the committee of inquiry. I pay tribute to all of my committee colleagues and to the staff and the secretariat who produced an excellent report in a very short reporting time frame. Certainly, much more work remains to be done in this area. We must ensure that milk production continues in this State so that the people of New South Wales are guaranteed fresh milk.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): The question is that the House take note of the report.

Motion agreed to.

PUBLIC ACCOUNTABILITY COMMITTEE

Reports

Debate resumed from 7 August 2019.

The Hon. GREG DONNELLY (17:26): I make a contribution on this important inquiry into what has been, and continues to be, quite a troubled piece of infrastructure development for the Government—specifically what is known as the *Impact of the CBD and South East Light Rail Project*. It is worth noting that the project has quite a long tale to it. We looked at it some detail in December 2012 when the then Premier, Barry O'Farrell, and the then Minister for Transport—now Premier, Gladys Berejiklian—announced the project. It was a long time ago. We tabled report No. 2 of the Public Accountability Committee in January this year—six years and two months after that announcement. We still did not have an understanding of what the cost of the project would be.

We have a scenario where the Government has heavily promoted the project as an example of it being able to deliver a significant infrastructure project in a way that is competent and effective and within cost parameters and other parameters. When you pause and take the time to forensically look through the project, as we were able to do through this inquiry, the picture is very different. In starting the tale at the very beginning, it was anticipated that the project would cost about \$1.6 billion. That is what we understood would be the cost of the fully developed project to the citizens of New South Wales. The then Minister, Gladys Berejiklian, was very certain about her ability to deliver the project in that way, which would involve a competitive process of bringing tenders forward and then selecting the best tenderer to deliver a significant project for Sydney.

We find though as of today that we still do not have a final cost for the project, although we can say that the cost was first revised up to \$2.1 billion. Then in June this year what could effectively be described as a settlement was reached between the Government and the primary contractors, taking the cost to about \$2.7 billion. So the settlement in June this year announced by Minister Constance and the extra payment of \$576 million to effectively settle the claims primarily made by the major subcontractor, Acciona, for cost overruns brought the total cost of the project to \$2.7 billion. But it is still not complete, as honourable members know. I guess it will only be in the fullness of time, once the project is fully completed and the final bills are paid, that we will know the total cost of it.

I simply make the point that the Government said that the project was going to cost \$1.6 billion and it was definitive and clear about it. The actual finish date was not set in concrete but was put into the future. I think in respect to large infrastructure projects there is an understanding that there can be some overrun in the time it takes to complete them. That is accepted within reason. But in terms of the rubbery cost, which we found out at the end of the inquiry after forensically going through all the details, it is just completely unacceptable that we will be paying at least another \$1.1 billion on top of the original price. That \$1.1 billion could go to \$1.2 billion or maybe \$1.3 billion over the cost originally asserted for the project.

This was a detailed inquiry. Members ought to look at the report if they have not yet had the chance. My colleague on the committee the Hon. Courtney Houssos and I make a point in our dissenting statement, which is at appendix 8, which we do not say in any tongue-in-cheek way, that we believe this is a first-rate case study in how not to deliver a major infrastructure project in this State. In the five chapters of the report we go through issue after issue. When you add it up, particularly when looking at the cost overrun, you have to conclude that this was not the way one should have gone about building a major piece of infrastructure.

The inquiry received 195 submissions and five supplementary submissions. We held five public hearings and the report was tabled on 25 January this year. I will briefly touch on only some of the points in the report, given that my time is restricted. Chapter 1 essentially sets the scene and makes the case for the project. Members can read that for themselves. Chapter 2 deals with the management of the project and covers a number of the problems that we were able to tease out in detail during the inquiry. The most troubling aspect of the whole thing is found under the heading "Treatment of utilities" at page 25 through to page 38.

There is little doubt that the way in which Transport for NSW sourced tenderers and then ultimately selected Acciona left a lot to be desired. There are questions as to the real bona fides of Transport for NSW and particularly Ausgrid due to the way in which, in my view, they failed to openly and transparently release details about a number of services underneath George Street that would need to be dealt with when laying track down that street. That is not just in terms of work done on a particular service under George Street but also in terms of the meeting of new requirements, which were referred to as Ausgrid guidelines, about what was expected to be done when track was laid.

Chapter 3 deals with capacity and journey times of the new light rail. We will have to wait and see whether they are delivered. Chapter 4 deals with key impacts. There were significant impacts in a number of domains particularly regarding noise, local businesses and property damage. I hope the issue of property damage is properly dealt with for people whose housing and other pieces of residential property were damaged by the project. [*Time expired.*]

The Hon. MATTHEW MASON-COX (17:37): This was an interesting inquiry that dealt with a complex and detailed infrastructure project, the CBD and South East Light Rail. During the inquiry a lot of time was spent reflecting upon the delivery of the project. The Hon. Greg Donnelly made comments in that regard, particularly in relation to some of the key issues that the Government struggled with during the course of its contract management. I think that a range of lessons have been learnt as a result of some of the troubles that the project brought to a head, particularly through some of the difficult and public impacts that the project had upon businesses and residents along the route.

It is important to get the context right. Transport for NSW had a difficult and complex contractual relationship with the contractors on this project. It was also a difficult infrastructure project to deliver. It is important to understand that because international experience has shown that when dealing with complex infrastructure projects—particularly light rail that extends for many kilometres and cuts across a lot of utilities—a lot of things are unknown at the time that contracts are finalised between the parties. The Hon. Greg Donnelly drew attention to the utilities along George Street in particular. We spent a lot of time in the inquiry trying to understand the complexity involved, particularly when dealing with some of the government instrumentalities like Ausgrid and the water services. You can imagine that trying to put a light rail line through George Street, which had not been dug up in that sort of way through its history, was a difficult infrastructure challenge.

It is worth noting that during the construction process a grave was disturbed, which shows the lack of knowledge about what was lying underneath the proposed line. The grave being disturbed in a manner not at all respectful to the remains found at the site was troubling. In its report the committee reflected upon the need to ensure that such incidents are dealt with appropriately. I will reflect on the financial compensation that the Government provided to the affected businesses and residents along the project route. It was probably because of the intervention of a number of businesses coming forth to speak about the challenges that they faced due to project delays. They have been reflected in the report and by the media. Previous speakers have outlined some of those instances, but it is worth reflecting on the impact that the project has had on some of the businesses that had to close their doors and on a number of residents who had to deal with months of serious nuisance noise that compromised their sleep and lifestyles. That has been a really unfortunate consequence of the project.

In saying that, I note that some impacts were foreseen. It is just because the project extended well beyond the initial timelines, particularly in certain zones, that it had serious impacts on residents and businesses along the route. Despite all those inconveniences, I must congratulate the Government. It deserves to be congratulated in some respects, particularly on ensuring that there was some sort of compensation for businesses and residents and work done on a number of homes along the route to alleviate the impacts. By the time the report was tabled, the Government had provided about \$20 million to businesses along the route through an assistance scheme. The Small Business Commissioner acted in that regard for some time. The Government then intervened and provided

some marketing for those businesses, with billboards and the like, which helped to alleviate the impact of the delays.

Having said that, could the Government have done more? I think the Government would be the first to acknowledge that perhaps it could have intervened earlier and done more to save some businesses. There are continuing claims from businesses. A potential collective claim from a range of businesses is also expected, but I am not sure where it is at the moment. We will see where that goes in due course. This was a very difficult project to manage. In the end the Government assistance will run to somewhere in the order of \$40 million. That is a massive change from a couple of years ago when the initial reaction to providing any serious compensation was pretty negative. The Government's positive response to the difficult circumstances that the project created for a range of businesses and residents along the route should be acknowledged.

In summary, it was a difficult project. The Government has learnt a range of lessons from it that I am sure will be employed in future infrastructure projects. On the whole, the report provides a balanced review of the project. Since it was tabled, there has been a range of developments—including the settlement of a court case between the Government and the contractor. It has cost the Government a significant amount of funds. That was foreseen. It was complex litigation and I am glad that at least that matter has been resolved.

The Hon. COURTNEY HOUSSOS (17:45): As a member of the committee I make the comment that the incredibly worthwhile inquiry into the CBD and South East Light Rail project shows the importance of upper House inquiries to get to the bottom of problems or to uncover what is actually going on. This project was a key election commitment of this Government. The Liberal-Nationals Government was elected on the promise of delivering the light rail project for \$1.6 billion. The project is still not up and running and there is not a final cost. We kept returning to that issue during the course of the inquiry. But I will say that the people of New South Wales have been left carrying the can for the lack of planning for the project. As the Auditor-General uncovered, a \$500 million initial blowout was caused directly by the failure of planning at the outset.

A main part of the committee's deliberations was getting to the bottom of why there was such a delay. The key source of it was the lack of planning, communication and coordination between the Government and, at the time, Ausgrid. The people who are suffering the consequences are the citizens of New South Wales, who are footing the bill, and the businesses and residents along the route. As I said, the Auditor-General's report was a crucial point in the accountability of the project. But the contractor coming to the hearings and telling us what was happening directly contradicted what the then Minister, and current Premier, was telling the people of New South Wales. The contractors told us extraordinary, explosive revelations about the way in which they were kept in the dark. They told us that if they had been provided with crucial details about the treatment of utilities and the way the power was to be dealt with along George Street before signing the contract they would not have signed on at all.

The contractor, Acciona, said that the lack of information led to an 800-day delay. Hundreds of millions of dollars extra had to be paid on the project because of a lack of proper planning and communication. This Government did not plan the project properly and the contractors have suffered the consequences. The focus of the inquiry was on the impact on the businesses and residents. A lot of the testimony went to the failure to plan the project properly and its cost. The inquiry's terms of reference specifically dealt with the impact on businesses and residents. We heard some absolutely incredible things from small business people, who were devastated by the process. I cannot overstate the effect that this has had on their lives.

At one of our hearings we had a panel of six or seven small businesses owners, all of whom were suffering significant health and mental health issues as a result of this project. The advice that they received from Transport for NSW and from government bureaucrats at the time was, "Just go to Bali. This is going to take a while so just head off to Bali." I pay particular tribute to the co-owner of Vivo Cafe, Angela Vithoulkas, who really led the charge on behalf of the small businesses along the route and more broadly. I also particularly mention the testimony we received from the owners of The Book Kitchen, which was a thriving business on Devonshire Street in Surry Hills. It was established with the proceeds of an inheritance and was a successful small business until one day the hoardings went up. Six weeks later the business was out.

They did not sit still. They did not try to wait it out as they were told to by government bureaucrats. They could only last six weeks as a result of this situation. There is no ability for them to claim compensation under the Government's existing rental compensation scheme. There is no compensation scheme for them, and that is a severe shortcoming of the Government. Stores along the route and other businesses slightly off the route were driven to ruin through no fault of their own but through the arbitrary actions of this Government and they have no recourse. We heard ridiculous testimony from a jewellery store owner in the Queen Victoria Building whose postal and residential address was George Street and who was not eligible for rental compensation because they were not classed as being directly along the route. Through the course of the inquiry they sought recourse and they are seeking recourse through the courts. We are yet to see the outcome of that.

Government members, who wanted to talk about the fact that the Government was providing some small amounts of rental assistance to a very select group of businesses along the route, did not address the fundamental problem that the cause of the delay was a lack of communication with the contractor. The question of public-private partnerships and the way they are managed is going to be a challenging one. I think the Hon. Matthew Mason-Cox said that they are complex financial arrangements. We spent quite a significant amount of time trying to get to the bottom of who exactly the different contractors were and what role each was playing. Of course, there is a role for government to outsource the construction of projects and subsequently outsource the risk—that is natural in a public-private partnership. The questions of how it outsources risk and how the process is managed are serious ones for the future economic management of this State. If businesses cannot sign onto a contract in good faith—which we discovered in this inquiry they did but they were not provided with the appropriate information—then that seriously questions the ability of those contractors to undertake future business in New South Wales. We should be considering that very seriously.

In the time I have remaining I will quickly speak about the impact on residents, which comes in two parts. The first is the impact of the construction, which has been significantly extended as a result of the delays. The second is the impact on those residents who were not considered or catered for. I will particularly talk about the Doncaster Avenue residents whose properties are adjacent to the stabling yards at Randwick. I do not have time to get into the lack of planning around which side of the road the light rail should be constructed on, the need for reinforcements at Centennial Park and the cost overruns as a result of that and the dam that is now there.

The lack of planning meant that residents along Doncaster Avenue had lights being shone into the back of their houses—the equivalent of a commercial football stadium—day and night, with very limited recourse. Again, the Government had a tin ear and was not listening to the incredible impact that was having on their lives. I thank the residents, because it was difficult for them to come and provide incredibly compelling testimony to our committee and to share what that they were suffering through. I pay tribute to those residents who are living with the consequences. For the residents who have issues with construction noise and who were forced to purchase their own noise monitoring equipment the construction will end. But for the residents along the stabling yards the project remains. I will leave my comments there.

Reverend the Hon. FRED NILE (17:55): In reply: I thank all committee members who took part in the inquiry: the Hon. Matthew Mason-Cox; the Hon. Greg Donnelly; Ms Cate Faehrmann, who was substituting for Mr Justin Field; the Hon. Courtney Houssos; the Hon. Trevor Khan; and the Hon. Shayne Mallard, who was substituting for the Hon. Natalie Ward. In conclusion, there are lessons to be learnt from how this project was managed. That is the whole point of the report and its recommendations. They are not so much looking backwards but giving advice and direction to the Government to not make the same mistakes when looking at future projects. With that in mind, many of the committee's recommendations are aimed at informing how future major infrastructure projects are planned and implemented, and particularly how construction may affect residents, businesses and the wider community.

As has been mentioned, it has been a rough time for many of those who have been affected by the project. Some businesses have gone bankrupt as a result of it. We want the Government to study the recommendations and, where possible, implement them on future projects. I thank all those who participated in the inquiry, particularly the business representatives and the residents who took part. Each day of the inquiry we had many visitors in the gallery. The witnesses' contributions were greatly appreciated and assisted the committee's work. I thank my committee colleagues for their hard work and the secretariat for their support. We look forward to seeing this complex project finalised soon. I commend the report to the House.

The PRESIDENT: The question is that the House take note of the report.

Motion agreed to.

PUBLIC ACCOUNTABILITY COMMITTEE

Reports

Debate on *Scrutiny of Public Accountability in New South Wales* called on and adjourned.

Members

VALEDICTORY SPEECH

The PRESIDENT: I welcome to my gallery this evening former staff members of the Hon. Niall Blair who are here for the member's valedictory speech. I welcome not only colleagues from the other place but also former colleagues, former Deputy Premier Troy Grant, the Hon. Rick Colless, the Hon. Greg Pearce, the Hon. Robert Brown, the Hon. George Souris and the Hon. Jenny Gardiner. I hope I have not missed anyone. Someone is pointing at the Hon. Robert Brown, but I did mention him earlier. It is always wonderful to see him.

It now being 6.00 p.m., according to the resolution of the House this day proceedings are now interrupted to enable the Hon. Niall Blair to give his valedictory speech without any question before the Chair. I ask members to extend to him the usual courtesies during his valedictory speech.

The Hon. NIALL BLAIR (18:00): It is an absolute honour to give my last speech in this place. Before I start I acknowledge the traditional custodians of the land on which we are here today, the Gadigal clan of the Eora nation, and thank them for their custodianship and pay my respect to their Elders past, present and emerging. In doing so I also acknowledge the many Aboriginal leaders and groups that I have worked with during my parliamentary career and thank them for their assistance. Some of the most truly rewarding things I have done during my time here have been on projects like Nimmie-Caira in the space of Aboriginal fishing, working with land councils in my time as Minister for Crown lands and also on the Bowraville inquiry.

This has been a really hard speech to write, so I have not really written one. I was procrastinating. I did not know what to say and I thought that tonight I would have to just list off and thank all of those people who have contributed to my career—but I will be able to do that in person. That is not what this is about. I will mention some people but I just want to reflect on my time in this place. I will also make sure that this is kept strictly with business tonight. A time to reflect with family will come at a later date. Many of those who are here, those who have contributed to my career, will get the chance to have a bit of a chat and a beer later on. For those of you who I do not mention, please understand that I do appreciate what you have done for me and do not be upset; it is just that time will not permit.

And because I have not gone to the effort of writing a detailed speech, I apologise to Hansard. But that was usually how I rolled anyway—just a few notes and a few dot points and just make it up as I go. To talk about my journey to this point, I have had many roles. It has been quite a journey. I came into this place as an MLC. I was quickly put into the role of chair of the Standing Committee on Social Issues. I was Parliamentary Secretary for Police and Emergency Services, Minister in a number of different portfolios, Deputy Leader of The Nats in this place, Deputy Leader of the Government in this place, Leader of The Nats in this place, Chair of the Standing Committee on Law and Justice, Temporary Chair of Committees and, Mr President, I also presided over a question time while you were away the other day.

The PRESIDENT: Yes, I was told.

The Hon. NIALL BLAIR: The majority of those roles were dedicated to this House. I know how important the Legislative Council is to the people of New South Wales. In many aspects it is the saviour for the people of New South Wales. It is the House of review. It is why I stood. I wanted to be a member of this House. Some people may know that I was approached a number of times to run for at least two lower House seats. On both occasions I thought about it but realised that I fitted in here.

This House, with its traditions and standing orders, needs good order—and that is where you come in, Mr President. The House needs oversight and order. You are committed and dedicated to your role, and that should be acknowledged. You are firm but fair, respected and nonpartisan in your duties—a truly outstanding President. On a personal level, Mr President, I have been happy to sit with you on the backbench and in Cabinet and act as your translator for some years. Because it did not matter whether we were on the backbench or in Cabinet, you could not hear what was going on and you spent many a time leaning over my shoulder and asking me, "What did they say?" I was always honest. Mr President, I value your friendship. You are a good man. I wish you good health and happiness.

To my colleagues in this place—and I genuinely mean colleagues, because this is where I have seen the best of what we can do in our roles as parliamentarians. That is a term I like to use a lot. The Hon. Mark Latham probably did not realise he gave me the best compliment I have had just recently in this place when in a contribution he referred to me as a parliamentarian. That is when I have seen this House at its best, when we act as parliamentarians, we respect the traditions of the House, its roles and its responsibilities, and we work together for the outcomes. I probably have not been the best at politics over the times, but I like to think that I leave this place regarded as a parliamentarian. I thank all of my colleagues, fellow parliamentarians, for their friendship and their dedication to this House.

I have seen some great characters in this place over my time here. Some are not here today and some are worth recognition. Some are here today. The Hon. Jenny Gardiner showed me what it takes to be patient. I will come back to the Hon. Duncan Gay a bit later on. My good mate Rick Colless is also here tonight with his wife, Geraldine. Rick showed me what it was like to be passionate about a particular thing—in his case, soils—and to continue to go after it. To watch Mike Gallacher in this House in full flight during question time was a sight to behold. I watched and observed and hoped I would be half as good when I got the opportunity if it ever was afforded me. Greg Pearce helped me a lot when I became a Minister. Particularly with looking after portfolios

like Sydney Water, he was a great help to me. Dr Peter Phelps, the first person who would jump on a grenade when the team needed them.

[A member interjected.]

Well, he did throw it, yes. He usually did throw it. But that is how smart he was—he threw the grenade, then he jumped on it and we all thanked him for that. That is how smart he was. Then there was the wit of Charlie Lynn, sitting up the back and shooting out barbs across the Chamber. My old mate Robert Brown, who was a very fair but firm negotiator. You knew when he shook your hand that that was it—no more talking needed to be done because he would honour that handshake. Dr John Kaye—that was a man of real intellect. He got up and under my skin a lot when I first became a Minister but he was a real man of intellect and class. Luke Foley was also a good mate and very effective in this House, and also Lynda Voltz, who I spent a lot of time working with on the parliamentary sports club.

The House and what happens in here is only part of the role and what has been so important to me during my time as a member of the Legislative Council. By far I think the most valuable and rewarding part has been our work on committees. That is because the committees give members the time and resources to look at the issue. It is also the best time to hear from the community. It is the one time when the community and the stakeholders can come in and tell us what is right or wrong with the issue that we are looking at. And then we get to work together, backed up by a wonderful secretariat, to deliver reports that make a real difference. It is fantastic to see Rachel Simpson here. She headed up the secretariat dedicated to the Standing Committee on Social Issues when I first became its Chair. The work we did on domestic violence resulted in numerous changes to legislation in New South Wales, and that is the stuff that actually saves lives.

The issue is still not anywhere near where it needs to be in our society but it was made better because of the work that we did on those committees. I looked at the types of committees that I have been on and, would you believe, the person I have spent the most time with, other than anyone else, is Greg Donnelly? We worked really well together and I really appreciate the relationship that we had working together on a number of matters, and quite often we were probably on different sides of the issue we were looking at. Thank you, Greg, for that respectful working relationship.

I want to acknowledge the work that everyone else does but particularly the Opposition. Good, hardworking Opposition members make for good governments, and that certainly was the case when I became a Minister. I am going to start with Ralph. The reason I call Mick "Ralph" is because in the cartoon the wolf and the sheepdog turn up every morning and say, "Morning, Ralph," "Morning, Sam," they clock on, give each other a few dust-ups during the day and then they walk off and go and have a beer. That is Mick and me. Mick and I became mates very early in my parliamentary career, in 2011. Not many people would know this but I used to give him a lift home after the House rose most nights because our units were just near each other.

The Hon. Walt Secord: Mick, what are you doing?

The PRESIDENT: I remind the Hon. Walt Secord he is already on one call to order.

The Hon. NIALL BLAIR: I have not got to you yet, Rooster. But, Mick, you pushed me like no other, and, as a Minister, knowing that someone who was shadowing you actually had had dirt under their nails, was well respected by the stakeholders and was willing to get up earlier than you in the morning to be on the radio and to try to lead the agenda for the day made me and my team work harder. He travelled far, worked hard and is rat cunning but he is also a nice bloke. It was difficult at one stage for me to understand why my team, I felt, were going soft on him at times, until it came to Christmas time and Mick turned up to my ministerial office with beer and wine for all my staff. That is how rat cunning he was.

The Hon. Mick Veitch: It worked too.

The Hon. NIALL BLAIR: Mick, I respected you and I will continue to respect you. You pushed me every day, so thank you, mate. But this is the same for the other shadow Ministers. Most of the shadow Ministers I have worked with, particularly when I was a Minister, were in this House. I do not know how Walt Secord knew where every leaking pipe in Sydney was when he was shadow Minister for water, but he would ask me about it during question time. Penny Sharpe really drove me on some of the environmental issues that I had concurrence with, even though I was not the environment Minister. Adam Searle, on industry, also gave me a run for my money. I have to acknowledge Chris Minns from the other place, who certainly knew how to take water issues and turn them into a powerful campaigning tool, and he got up to speed very quickly. They all should be acknowledged for their hard work, but also so should the rest of you for how hard everyone works in this place.

The penny dropped for me during the election campaign when I had to go to Bourke. As a Minister we had a lot of resources, so I flew to Dubbo with two staff and we hired a car. I was a bit tired so I sat in the back

seat and we drove to Bourke. When I got to Bourke I ran into the father of the House, the Hon. Peter Primrose, who had exhausted all of his allowances, so he and his staffer Amanda had driven out from Sydney, attended the local government and shires conference and then had to drive back to Sydney. That is the difference between the resources for government and the resources for the Opposition and that is how hard members of this place have to work. I hope it does not lead to someone having an accident; there needs to be a rethink about some of those resources. Everyone has worked hard and they have pushed us all the way through. I extend the same level of thanks to the crossbench members for all the negotiation and hard work that I have done with them over the years.

I have learnt during my time here to listen to my mentors and to look for sounding boards. I have had the honour to serve under some truly inspirational people who have all contributed to my success and I have tried to take a little bit of their style and how they operate and give it my own flavour. The person who got me into this has always been a constant support for me and that is Adrian Piccoli—I should say Professor Adrian Piccoli. Not only will we continue to go fly-fishing and ride bikes now but we will also be able to talk about professor stuff together.

I always got sound advice from Fiona Nash and I am looking forward to continuing to work with her at Charles Sturt University. I also learnt from some of the greats—some of those who went through that long, cold winter to get us into government—and I am really glad that George Souris is here tonight and his wife, Vassy. I learnt from people like Rick Bull and Don Page—we all walk in their footsteps—but it was also a real honour for me to follow in the footsteps of Duncan Gay. I acknowledge his wife, Katie, here tonight. In fact, it was an honour to be called Duncan 2.0 or Duncan Lite. Both of us are from a similar area, we got into this place around a similar age, both spent time as chairmen of our party and both went on to be leaders in this place and Ministers. Thank you, Duncan, for all your support.

I have served under several Premiers—O'Farrell, Baird and the first woman to be elected Premier by the people of New South Wales, my friend Gladys Berejiklian, and what an honour it has been to have worked with her. I have also worked under a number of party leaders—Andrew Stoner, Troy Grant and John Barilaro. I am glad that two of those are here tonight. Troy Grant is a man of immense integrity and he gave me the opportunity to serve as a Minister. I was in my running gear about to go for a jog when I was summonsed to his office; I thought it was a joke at first. But he became and continues to be a true friend, a great leader and a wonderful supporter—he always backed me in. Thank you, Troy. Barra and I understand each other's strengths and worked out very quickly how to work really well together. Only a couple of times we both became bad cop, but more often than not we knew who was good cop and who was bad cop, and I think you all know who that was.

I also acknowledge leaders in the Legislative Council. To my colleague Sarah Mitchell: we started school on the first day together and it is now a real honour to come out with you as my leader, and also Duncan Gay, but also Ministers I have served with in this House—Ministers Gallacher and Pearce, who I have mentioned, and my friend Don Harwin, who, particularly when things got bumpy in this place, was one of the first to jump to his feet and have my back, and for that I am forever grateful, and also you, Mr President, as I mentioned earlier. I also want to mention a sounding board. Over the past eight years I have spent a lot of time reflecting on what was happening and bouncing ideas off the Hon. Trevor Khan—the ultimate example of do as I say and not as I do.

He sits at the back of this place, squawking all day, interjecting on everything, and as soon as he gets into that chair, Mr President, he calls everyone to order. But it was always good, Trev, to talk through complex issues with you, usually at Five Ways over two pizzas and at least two bottles of pinot noir. You have a great mind and I have always said if we could only take those powers and use them for good and not evil. Just joking, because the issues that you have been successful on, Trev, are issues that are important to people in regional New South Wales and to people who support the National Party. So thank you for your great work. And that is another important thing—you have got to know where you have come from, who got you there, and do not forget it, and for me that is the National Party.

On the weekend we celebrated 100 years from the Country Party to the National Party, and I am proud to have been a representative of that party and its members in this place and to have also spent time as its chairman. We are a really diverse party because we represent a very diverse part of New South Wales. We are brought together by geography and an objective to represent the people of regional New South Wales. It is a party made up of dedicated, passionate members who would do anything to make sure that we continue to have that voice in Parliament and to last another 100 years.

It has been an absolute pleasure to be able to sit in this place on behalf of our members and I was honoured to have been the beneficiary of their hard work, manning booths, raising money, attending conferences and developing policy, supported by our governing body, our central council, and chairmen like Bede Burke, supported by his wife, Narelle; former chairman Christine Ferguson and her husband, Colin; and also great staff. During my time as chairman I worked with Ben Franklin, who became a colleague in here and a great friend;

Greg Dezman; Nathan Quigley; and Tom Aubert, who were an amazing team that supported me when I was chairman.

I really enjoyed working with Ben Franklin. I have thought about how I could describe what a great team we were and I have got the best story. One day when I was chairman we worked really hard and we did not realise that it was Valentine's Day. We decided to go and have a feed because we had worked back quite late, so we went to a local pub in Woollahra and it just so happened that they had drag queen trivia on that night for Valentine's Day. So we entered and we won the trivia. I got all the sport questions right and he got all the musical theatre questions right. It is the best way to sum up how well we work together. We are very different, we work very differently, we have very different interests and very different things that we contribute but it has always worked well. Thanks for your friendship as well, Ben.

I have always known that I should surround myself with people that I trust. I am sure that the legacy I will leave this place will be through the staff that have worked for me over the years. In this job we must trust those who are there to advise us, protect us and live and die by our successes. I have been so lucky to have had incredibly intelligent and dedicated staff who are willing to be honest and unwavering in their support for me. Anyone can be part of a team when things are going well but it is those who step up when it is turning to custard that really count—at times at their own cost, when they were caught up, particularly when those who were targeting me caught some of my staff in their crosshairs.

I had many times when I needed their assistance, especially as a Minister. A lot of my staff are here tonight and I really do appreciate that. I am not going to list them all but I will seek leave in a moment to incorporate a list of all of my staff in *Hansard*. I am just going to single out a few. Trust is the number one attribute of my former chief of staff, Sean O'Connell—absolute trust. If Sean said we should do it, we did it. If he said we should not do it, we did not do it. Quite often he would make sure that I knew only as much as I needed to know at a time, not to overwhelm me, and he made sure that everything was taken care of. He spent four years with me as a Minister. Sean, I really want to thank you for what you have done and wish you success in the rest of your career.

I thank Evie Madden—who was unfortunately the person to get the first phone calls when there was a shark attack. She was the one who had to get up at 3.00 a.m. to check the front page of the paper, particularly when things were going a bit bumpy in some of the portfolio areas. She also was the one who had to manage a lot of the threats online that were directed to me through my social media pages and in person, when on at least one occasion I had to be taken out the side door of an event because of safety concerns. I thank her for her frank advice, never sugar-coating it, her dedication, her instinct and always having my back. Thank you.

I thank Charis Ombico, who was also with me for my full four years. Charis had to deal with not only me but also my busy schedule. She knew me so well. She made sure that the people who I did not want to see did not get an appointment and the ones that I did did. More importantly, it was those other things that she did, like knowing that I had missed lunch—coming back from a meeting to find a sandwich exactly as I would have ordered it sitting on my desk. She made sure that I was able to keep going. Thank you for all of your support as well, Charis.

I seek leave to have the list of the rest of my staff who have worked with me throughout my parliamentary career incorporated into *Hansard*.

Leave granted.

Thanks to my former staff members for their support and dedication (Team Blair)

Chief Of Staff, Sean O'Connell
Deputy Chief Of Staff, Julian Luke
Charis Ombico
Siobhan McCarthy
Elle Bailey
Evie Madden
Lucy Brennan
Emma Toole
Stuart Bocking
Annie Savage
Amy Minahan
Petrina Apfel
Darcy Moar
Nick Savage
Scott Barrett
Matt Coulton
James Piggott
Jodie Bartholomew

Miranda Pade
Daniel Newlan
Hollie Baillieu
Charlie Cull
Sam Bush
Asher Miners
Katrina Carlon
Claire Coulton
Merridie Williams
Drivers: Wayne Sole and Brett Lyons.

The Hon. NIALL BLAIR: I am trying not to take too long, Mr President.

The PRESIDENT: Take your time.

The Hon. NIALL BLAIR: Thank you to the rest of my staff. I have also learnt that you have to take advice from those who are smarter than you and from those that set a good example. I start by acknowledging the Clerks and the staff of this Parliament. I have been so well served during my time here by the Clerks and the committee staff. To David, Steven, Beverly and Susan, all of your teams and, of course, Kate Cadell, thank you for your sound advice, intelligence and good grace. Thank you to the attendants for looking after us. But it is the Clerks I just want to single out for a moment. If you go into the gift shop here at Parliament you can buy cufflinks that have owls on them that symbolise the wise old owls at the table. Every time I see those cufflinks and every time I see the Clerks I am reminded of the rhyme:

A wise old owl sat in an oak
The more he sat, the less he spoke
The less he spoke, the more he heard
Why can't we all be like that bird?

That sums up the Clerks to me. They sit there, they listen, they ponder; we should all be like that a bit more. We are all too quick to shoot our mouths but if we sat back and listened like the Clerks, we would all do well. I have also had the privilege of sharing the rugby paddock with David. Not too many people may know this.

The CLERK: Oh, don't tell that story. Please don't.

The Hon. NIALL BLAIR: Please don't tell that story? Okay. I nearly shared the rugby field with David once. I had the honour of having a game of rugby with David once. He may not like the story but it was representing the Parliament and it was a tough game of rugby. David on the rugby field is the David that we all know and we see in person—hardworking and quiet but really tough. He could get around that rugby field and just kept going all day. Thank you, David. It was a pleasure to work with you but also a pleasure to share the field with you. I scored a few tries that day too, just quietly.

This also then leads me to all of the agency staff that I have worked with. Some people have said—and even criticised—that I listened to the agencies more than I should have at times. But they are the experts. They are the people who dedicate their lives to a particular cause. I will tell you what—if you were going into an exam in relation to biochemistry, would you listen to me or would you listen to the doctor who is working in the department on biochemistry? I know who I would listen to. I was really lucky to be served by great agencies over my time, particularly as a Minister.

It was not that hard as a Minister. I only had to ask two questions: How do I do something or how do I not do something? As a Minister, if you do not like the advice that you get you can ask the question again, ask for some more advice, but you need to rely upon those agency staff. Some of the best things I did in my career were travelling around the State and seeing what people have dedicated their life to—a true honour. To the leaders of those agencies, Scott Hansen, David Witherden, Simon Draper, Brett Fifeld, Tim Ferraro and the many others that I know I have not listed, thank you for allowing me to come in and work with your staff and see what you all do so well.

I am going to spend a couple of moments just quickly reflecting on some of the things I learnt as a Minister. Firstly, it goes really quickly. Michael Daley told me when I first became a Minister, "You have got to stop sometimes and take a deep breath and smell the roses, because it will be over before you know it." And he was right. It goes very quickly. I was blessed because I was a Minister who was also a member of the Legislative Council. So in a sense I could be a full-time Minister. But it is the most bipolar job you will ever have. The highs are so high and the lows are so low.

Some of the highs are really the people. I have met some amazing people in some outstanding industries and some good businesses, a lot of them farmers. I have had wins for New South Wales at the COAG level. I have been able to travel and represent New South Wales internationally. I have met Prime Ministers, sheikhs, Ministers from other countries—they were amazing opportunities to represent the people of New South Wales. But also

there were some tough times, and when things get tough in a game like this, they get really tough. Unfortunately, there were times when I had to deal with information or situations that were really tough and uncomfortable and, at times, needed further action. I am glad that he is here now but I remember Adrian Piccoli said to me one time, "You will always be judged about what you do about a piece of information or a situation. It is what you do with it or what you do not do with it that you will be judged on." I am very confident that at the times I have been challenged, when information has been presented or a situation has unfolded, I did the right thing. I reported when I needed to report. I reviewed when I needed to review. I decided when I needed to decide. I can stand here confidently and say that for none of the actions that I took or the decisions that I made I have ever had to stand up and answer through any form of inquiry. I am proud of that, Mr President.

I have had an interesting relationship with the media and I am glad to see some of them here tonight. As an upper House member we do not cut our teeth dealing with media a lot, like our lower House colleagues. It was early on when I became a Minister that I was pushed in front of many cameras after a shark attack. That was a steep learning curve. The media is full of great people but we also have to remember that they have a job to do, and that is something I also had to be reminded of. You can become friends with the media, and I am glad some of them are here tonight, but we also have to respect that they have a job to do and sometimes that job is challenging or questioning what we do. But I respected those who researched, asked the questions and provided a balanced view. I look forward to having a beer with some of them a little bit later on.

The most important thing that I learned as a Minister is that you have got to turn up, even when that is really difficult. Again I can stand here and say that I am proud that I have turned up to some areas where others did not and at times when others did not. And that probably again was at times to my detriment but I never want to leave this job being criticised for not turning up. So turn up.

I will quickly refer to some of the trophies that I will take away with me. Sharks: To think that we looked at an issue that we had been grappling with off the advice of our agencies and dared to be different, thanks to Mike Baird and his leadership in this area. Now to have Steve Pearce representing Surf Life Saving NSW, knowing that they are now rescuing people from drowning as a by-product of some of the work we did on sharks and some of the risks that we took at the time. Also our work on biosecurity and biodiversity, getting the balance right; Crown land reforms; big leaps in this State in agriculture innovation and research; opening up some Asian markets and putting a highlight on the Asian markets for New South Wales; the Broken Hill to Murray pipeline; the kicking off and enhancing of some of the drought packages; the commercial fishing reforms; and, I never thought that I would say this, abortion reform. That is certainly something that I did not consider I would play a role in when I was thinking about the wind down. I am glad to have played a role and to have seen this House go through that important reform in New South Wales. If I have contributed to that I am very proud.

I am nearly at the end of my speech. I am mixed about leaving. I am really excited about what I am going to do but there is also a lot that I am going to miss. I will miss the people. When I thought about it, it is the funny things. It is coming into this building early in the morning, usually on a Monday, and watching Brad meticulously trying to get that last leaf out of the courtyard, knowing that the Roosters had won on the weekend and being able to have a bit of banter with him before anyone else arrives. I will miss that. I will miss having a crack at Layne, the special constable, because it seems every time I walk past he is sitting down. I will miss the banter with the special constables. I love the interaction I have had with them.

I will miss the scientists and the hardworking professionals in the departments. I will miss the media. I will miss the farmers in particular. I have had a great relationship working with our farmers. I will miss the free advice. I got plenty of that during my time. I will miss the messages of support, particularly when they came at the right time. I will miss the stakeholders. I will miss listening to Santiago's talks about him sailing a ship from somewhere to somewhere, when he is supposed to be doing a cleaning job in the building. I will miss the people. What is next? I get to continue to work in the food space. I will continue to work with agritech, trying to help reduce food waste and support our farmers to do more with less. I am really looking forward to that challenge.

To sum up, my advice to the new people and those who will come, from what I have learnt, when you get a chance to negotiate look for the win-win. You have got to give a bit because the best outcomes come when there is a win-win. When people can walk out together and say they have got something out of it, that is the best time. Look after yourself. Do what I did. Go and have a look at the pictures that were taken of us when we started here and then look in the mirror. I am serious: Avoid the bread roll and don't eat the dessert. I am not saying do what I did. I have done four Ironmans since I have been in this place but I am leaving in better shape and fitter than what I was when I came in. This place will kill you. You need to look after yourself. It is a lifestyle that our health experts would not recommend to anyone.

In my maiden speech I cited two things from Hawkesbury Agricultural College. One was written on the sundial. It says, "Use well the present moments as they fly". I think I have done that because they have flown. The second was the sportsman's creed. It says, "When one great scorer comes to write against your name, they write

not whether you won or lost but how you played the game." That is what I wanted to do. It is not a game but I wanted to make sure that I was fair and honest and worked hard. I think I have done that but that is for you and everyone else to judge.

Finally, as I have said to many members over the time, everyone expects us to talk for a living. That is what we do but the most powerful thing all of us can do is to know when not to speak. Sometimes by not speaking we can get across a better message than if we had opened our mouth. So I will take my own advice and I will stop speaking now. Thank you one and all. See you later.

The PRESIDENT: I will now leave the chair. The House will resume at 8.00 p.m.

Bills

ROAD TRANSPORT AMENDMENT (MOBILE PHONE DETECTION) BILL 2019

Received

Bill received from the Legislative Assembly.

The DEPUTY PRESIDENT (The Hon. Taylor Martin): According to the resolution of the House of 15 October 2019, as the message on the bill has been received from the Legislative Assembly, the bill now stands referred to Portfolio Committee No. 5 - Legal Affairs for inquiry and report.

TRANSPORT ADMINISTRATION AMENDMENT (RMS DISSOLUTION) BILL 2019

Second Reading Debate

Debate resumed from an earlier hour.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (20:02): Since coming to Government in 2011 the Liberal-Nationals Coalition has grown the State's asset base by over \$100 billion. As the Minister for Transport and Roads noted in the other place, collectively transport agencies have built major new road and rail infrastructure, piloted and introduced new transport services and put a focus on improving customer experience, resulting in sustained customer satisfaction—up from 79 per cent to 89 per cent. Rail patronage is forecast to increase by 21 per cent over the next three years. Technology innovations and better use of data are opening up all sorts of possibilities for improving the customer experience.

The opening of the Sydney Metro Northwest in May this year is an example of the Government's achievements. It is Australia's first fully automated rail network and was delivered on time and \$1 billion under budget. Passengers are showing how much they love our new metro system, with millions of trips already undertaken since it was opened only a few months ago. I note that the delivery of the metro was promised four times by previous Labor governments and never delivered. This Government promised it once, under then Premier O'Farrell, and delivered it. This Government can be relied upon for transport infrastructure and undertakings of transport works. It is a government that sticks by its word.

The Hon. Scott Farlow: A government that delivers.

The Hon. DAMIEN TUDEHOPE: Yes, a government that delivers. Having previously been a lower House member representing an electorate that faced great challenges during the delivery of the metro, certainly Cherrybrook station and the upgrade and delivery of the metro through Epping station—

The Hon. John Graham: I want to hear about the commute though. Tell us about the commute.

The Hon. DAMIEN TUDEHOPE: I will tell you about the community. By and large the community is on board with the delivery of rail infrastructure. The use of the metro has demonstrated how it has improved the lives of the community and the constituents of electorates such as Epping, Castle Hill, Seven Hills, Riverstone and Hawkesbury. All those electorates have benefited from the delivery of this infrastructure by the Government. Only a government that knows how to administer a portfolio and administer a contract of this nature is able to deliver that sort of important infrastructure for the people of this State. It demonstrates the expertise that flows from being able to administer those contracts.

A really striking thing is the workforce that we have developed in respect of delivering road and rail infrastructure arising from these important projects. We are currently delivering the NorthConnex road system in Pennant Hills, which was previously part of my electorate. One of the impressive things is the training of workforces to undertake the tunnel technology in New South Wales—it is probably the envy of any government in the world—for the purpose of being able to deliver that sort of infrastructure. The management of that workforce, the management of those contracts and the management of senior personnel demonstrates that this Government can engage with the workforce for the purpose of delivering such important infrastructure.

Not only have we delivered the Sydney Metro Northwest but we are also in the process of delivering the NorthConnex and the WestConnex. The opening of the M4 tunnels this month, as part of the WestConnex, means that western Sydney commuters are saving 20 minutes on their daily commute. That is more precious time that people can spend with their families. Day after day we ask ourselves why we do infrastructure projects. They are not vanity projects; they are to improve the lives of families of this State. We want families to spend more time at home with each other and not sitting in cars on roads or on old and delayed trains. The Government's commitment is to act for the people, the families of this State, to make sure that they get home to their loved ones more quickly each night by cutting the commute time through delivering this important infrastructure.

The list of the Government's achievements goes on and on. I am sure members opposite would love me to speak about every one of them. Whether it is hospitals or transport, it is an impressive list of infrastructure delivery. The delivery of infrastructure relies upon a well-organised department and well-organised management. It also depends upon an ambitious and effective Minister, who drives the infrastructure agenda of the Government. The Government is in the process of delivering \$93 billion worth of infrastructure over the next four years, which is almost the total package that the Commonwealth Government is estimating that it will fund. So the \$100 billion that the Commonwealth brags about is matched by this State. It is a tribute to the management style of this Government and those who work with this Government that we are able to deliver that level of infrastructure.

The Government has also committed \$50 billion to congestion-busting initiatives, including new and upgraded roads and pinch point and clearway programs. These are all part of making our constituents' lives better. New motorways, along with the installation of intelligent traffic lights at 500 key intersections, are designed to reduce the number of stops in traffic by 15 per cent. These initiatives will allow the community to get where they need to be faster and more safely, as is consistent with our election promises. We deliver on our election promises. Some of the election promises from those opposite are a bit wobbly. Consistent with our election promises, we also announced 2,850 new bus services, which we will add routes in Sydney, the Hunter and the South Coast over the next 12 months. These are the first of the 14,000 new bus services we promised to deliver over the next four years. That is an ambitious delivery of travel infrastructure.

If I can reflect again on the Sydney Metro Northwest, the closure of Epping station for the metrofication of the line between Epping and Chatswood involved an enormous amount of logistical planning for the purpose of delivering people to their destinations in Macquarie Park, Macquarie University, North Ryde and Chatswood. That was a seamless piece of transport delivery in very difficult circumstances. One must marvel at the way that the department was able to deliver that transport infrastructure while taking the community with it. As the member for Epping at the time, I do not recall one complaint about the closing of the rail line, notwithstanding the scare campaign that was run beforehand about the Armageddon and traffic chaos that would occur when the train line was closed. Not one complaint did I hear after the Government closed that train line. That is because of the way we managed the bus services between Epping and Chatswood during that period.

Also in my old electorate of Epping we have on-demand bus services, which are getting worldwide attention. Similarly the Mobility as a Service Innovation Challenge is already delivering services on the ground and showing that it is possible for the Government to work with industry to deliver technology and enable transport services that people really want. The Government has done all this while ensuring that safety remains its number one priority. These achievements are making a huge contribution to the New South Wales economy and improving the quality of people's lives. Our economy is the envy of other States.

We do not hear much from those opposite about their transport achievements while in office. That is because there were not many. They promised to build 12 rail lines in their 16 years in office but did not deliver a single one in full. Members may remember that those opposite promised to build a Chatswood to Parramatta train line. Where did it finish? Epping. They delivered half a train line at double the cost—and they ran out of money. There is a stark difference between the demonstrated management prowess of those on this side of the House and those on the other side.

Members may also recall that those opposite tried three times to produce paperless tickets. They had a Tcard. We promised an Opal card as soon as we came into office and within two years we delivered the Opal card to the people of this State. Now everyone has an Opal card and we are improving the Opal card technology. Soon there will be contactless payment on buses; people will be able to use their credit card and will not need an Opal card. The Liberal-Nationals Government has a vision for the future of New South Wales. The Future Transport 2056 strategy sets out the 40-year transport vision, directions and outcomes framework. It has been developed in conjunction with the NSW State Infrastructure Strategy 2018-2038 and the Greater Sydney Commission's Greater Sydney Region Plan and regional development framework. Under the Liberal-Nationals Government, genuinely integrated land use and transport planning is happening for the very first time in this State.

This Government is in the business of delivering real transport solutions. Not only are we addressing the transport failings of those opposite when they were in government but we also have an eye to the future. As the

Minister for Transport and Roads often says, transport is a technology business. With the rate at which technology is evolving, it is not inconceivable that in the future our job will not necessarily be to provide the physical carrier—the bus, the train or the ferry—but to provide the technology that links people to those services. It is about seamless, customer-focused transport. We understand that Transport for NSW's operating environment is changing rapidly and we need to change with it. Transport for NSW's new operating model as provided for in this bill will mean that the sorts of transformational changes we have been making to the transport network over the past decade can be delivered in an even more coordinated and agile way. As the Minister for Transport and Roads notes, the full integration of Roads and Maritime Services with Transport for NSW will mean that there are no organisational barriers to realising the full benefits of integrated and coordinated services. It will ensure the breaking down of any residual silos that frustrate the effect of service delivery. I commend the bill to the House.

The Hon. SHAYNE MALLARD (20:16): I strongly support the Transport Administration Amendment (RMS Dissolution) Bill 2019. I do so with sincerity, which I am sure all members do when they speak at this lectern. I was disappointed to see the bill not proceed during the budget process when it was a cognate bill because I come at this as a fanatic about public transport and transport planning. This bill, frankly, is the Holy Grail of transport planners across Australia. For years we have had experts of various persuasions in the media and in inquiries saying that it is the wrong approach to plan transport for our State by having a powerful roads transport body in a silo separate from trains, public transport and active transport and to have problems with communication between the two. While not reflecting upon the administrative arrangements of governments of which I have been a member, to have two different Ministers for two key transport planning areas has always seemed at odds.

I recognise the amendments to this bill that deal with workplace relations and entitlements issues but I hope that members in this Chamber are by and large supportive of the bill and the principle of bringing together the Roads and Maritime Services [RMS] and Transport for NSW, and will not let issues to do with unions become a distraction in this debate. The bill is about integrating transport. It is about bringing the Roads and Maritime Services into the transport agency in an integrated and constructive way.

It will enable better strategic planning and a better strategic approach to the integration of transport for everybody in New South Wales within one single transport agency—everyone sitting around one table, negotiating and planning transport for our State, for our regions and for our country areas. I will not list examples of historical roads and public transport areas not working well together, but without going too much off script I recall evidence that we heard in the WestConnex inquiry—some members here may have been on that committee with me—where we heard from the transport planning body that it did not know about WestConnex until the last minute. That was an example of not integrating even in our time and that better planning of transport is desperately needed for our growing population in Sydney and New South Wales.

These reforms are before us now in a new bill after extensive consultation with the unions and with staff. I understand that the bill will not change the employment status of employees at RMS and that they will remain part of the transport services in the same way they are now. I hope that we can overcome these industrial relations issues to achieve a greater good for the people of New South Wales for the next few generations, because if transport planning is integrated we will have a healthier and more productive economy and a healthier lifestyle for our citizens. Merging the agencies to deliver greater community outcomes is logical for our State. As I said, I am a huge fan of public transport and a big fan of active transport and I see an issue with regard to the breaking down of these silos. I heard some speakers in this debate earlier today say that there has been some breaking down of the silos.

When I was a City of Sydney councillor my experience was that the breakdown of the silos between RMS—or RTA as it probably was then—and Transport for NSW was very much based on personal relationships between the two organisations; there was no structured breakdown. Everyone knows I am a big advocate of the cycling network in the city of Sydney. There has been a huge growth in cycling in our city and in our rural and regional areas and it has to be integrated into all transport. At one time the relationship of cycling with RMS was very hostile; RMS was not supportive of the construction of separated cycleways or of integrating cycling with transport planning. There are plenty of examples of that. One example is the Great Western Highway to the Blue Mountains where there is a pinch point where cyclists are in great danger because there is nowhere to get off the road when they are riding over the mountains. That is just bad planning at the time; that road was built only 20 years ago.

We had great relationships with RMS, or the RTA as it was, where personal relationships were very strong and there was support from Executive Government for cycling to be a transport option. No matter what people like to say, there has been a shift in the mindset of the community, of the political class and of the media about cycling in our city as more and more people ride bikes, and those few cyclists who cause problems become diluted in the overall number of cyclists, which is what has happened overseas. We are seeing a more sensible approach to cycling. I commend Minister Constance for his proactive approach to cycling and improving cycling

safety with some grants. Recently the City of Sydney acquired about \$8 million from the State Government to start to close some of the gaps in the cycling network.

Last week *The Sydney Morning Herald* published a pretty confronting article headed "On yer bike" about cyclists leaving the road when danger arises. I commend the article because it talks about some of the things that I have spoken about in the House before. Cycling rates in New South Wales and Sydney grew quite rapidly until a year ago when they started to flatline and go down a bit. Last year 1,100 cyclists were injured on Sydney roads and 11 cyclists were killed. That is 80 per cent more than in 2005. Whilst the number of cyclists has grown it has not grown proportionally to that number of incidents and the reason for that is the lack of safe infrastructure for cycling. I invite members who come into Parliament at 8.00 a.m. to go to the city hubs leading to the city—they will get run down by thousands of cyclists heading into the city to work in the office buildings at Hyde Park and Pyrmont, which are two key points, and coming over the Sydney Harbour Bridge.

The Sydney Morning Herald article contains some interesting assessments of safety for cycling. Obviously, there have been surveys done, but there is some raw data that should be considered. Currently, in Sydney one in five cyclists is a woman. That is bad because women, being sensible people, recognise that it is not safe enough to ride. Women are a key indicator globally of the safety of the cycling environment. Cyclists in cities like Copenhagen are 60 per cent women and you often see women with kids on the bikes. In Sydney one in five cyclists is a woman. Research done by the City of Sydney showed that women would discourage their partner from cycling if they thought it was dangerous. So not only would they not ride themselves but women would discourage their partner to ride because they feared for their safety.

Jan Gehl, the superstar Danish urbanist, who was pretty much behind the idea of the light rail originally and the pedestrianisation of George Street when he did a study for the City of Sydney, said to me that his test for whether a city is safe for cycling is if Danes ride around the city. My partner is Danish and he does not ride at all in the city; he thinks it is mad to do so. However, in Denmark we jump on a bike straightaway because it has separated bike lanes on roads and at bus and rail interchanges with big bicycle capacity.

That is just an example of what we can get if we integrate RMS, the roads component, with transport and active transport. Having transport hubs where ultimately light rail and heavy rail connect with buses and a large cycling component—and the roads that support that network are a really important part of it—are sort of the Holy Grail of transport planning that has been called for in this city for the whole time I have been in public life, since 2000, and certainly globally. Shanghai in China really embraces the electric bicycle now—the biggest selling bicycle in the world is an electric-powered bicycle—and that is integrated in its transport planning.

In an adjournment speech I spoke about how the President took a delegation to Shenzhen, which had separated bicycle lanes on the freeways, and in the morning those lanes were full. That is a planned city and that is the way we should plan the city so that all the transport options are available for the community. If people choose to be an active cyclist they can ride a bicycle. People who are less fit, older, have an injury or are transporting small goods like tradies do—tool boxes and so forth—can use an electric bicycle. That is the real Holy Grail of transport planning.

I commend *The Sydney Morning Herald* article to members. It is a real challenge for us in this city to address the issue of increased injuries to and the deaths of cyclists—and pedestrians too. I know the Government is addressing that issue and that we have agreed to the 40 kilometre-an-hour speed limit in the CBD—something that the City of Sydney has been calling for for 10 years—in response to the increased pedestrian accidents and, tragically, deaths in the city. Pedestrian safety is part of active transport. Pedestrian planning is part of transport planning thinking. New office buildings in the city have to have transport plans: How are workers going to get in and out? Bicycles, walking, buses and ferries need to be integrated. So this all makes sense in that broader planning context and I am sure that members would support that. I am glad this bill has come back and I am glad it is being addressed today. I did not expect to speak on it as members can probably tell, but the fact is—

Mr David Shoebridge: Highly competent.

The Hon. SHAYNE MALLARD: It reflects some of the views that Mr David Shoebridge has. The Greens were supportive of the principle. I remember that in his initial speech. I am invited to speak on it now and I am pleased to do so. As I said, it is something that I feel passionately about. I look forward to one transport Minister being able to work with all the agencies as equal partners with no amount of, "I have got a bigger budget than you and I am more important than you" type of attitude to deliver integrated transport outcomes. I am proud to be part of this Government. I am proud to remind people, like Clover Moore when she came to WestConnex, about the huge spend in public transport. That was not present in the last Liberal-Nationals Government because big roads needed to be built. It was not big on investment in public transport. I am talking about the Greiner era.

I am proud to list the huge spend in public transport, which includes the Northwest rail link; the plans, with support from the Federal Government, related to the Parramatta metro rail link; the South West Rail Link; and the light rail. I was on that inquiry as well. While it has been a regretful and painful process to build it—anyone who knows this city saw that coming—that will pass and hopefully the people affected will recover. It will then be the jewel in the crown of our Government. Other governments will make commitments and will be lobbied to extend the light rail to other areas of our city. It is easier to do it outside of the CBD and the oldest street in Australia, George Street—it is pre-colonial and Aboriginal path down to Circular Quay. We had to dig up that ancient street to put light rail in. It is a lot less difficult once we are outside the CBD confines. Hopefully, lessons have been learned about the challenges of building light rail.

Mr David Shoebridge: There is something to be said for a tunnel—there really is.

The Hon. SHAYNE MALLARD: No. If I remember rightly, Infrastructure NSW—or the early version of it—was advocating a bus tunnel just below the surface. That would have changed the impacts and that would have been a dreadful experience. Jan Gehl's most famous and important book is called *Cities for People*. Cities are not for cars—

The Hon. Damien Tudehope: It is a very good book.

The Hon. SHAYNE MALLARD: It is a very good book. I commend the book. It is an excellent book.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): Notwithstanding the discussion that is going on, I am not sure how much Hansard could get from all those grunts and groans. I ask that comments be directed through the Chair.

The Hon. SHAYNE MALLARD: If I had time I would have liked to have brought Jan Gehl's book down and read some onto *Hansard*. He is a superstar rock guru of urban planning. The city engaged him to do the city plan. He did a plan for the New Zealand city that was destroyed by an earthquake, Christchurch. He did the pedestrianisation of Times Square, which people said could not be done. He has done that. He has worked on many of the great cities of the world, including London and Paris. His mantra has been to reconquer cities for people and communities and to reduce the cars. The cars took over the cities—the cars ate Paris; the cars ate the cities. That happened in the sixties. Regrettably, cities ripped out their trams. They are coming back. Cycling is coming back. It was big in the forties and fifties, but it went by way of the car. The roads were taken over by cars.

The Government is seeing a rebalancing. This legislation is the bell about that rebalancing in Sydney. We have been working hard to get to this point. Once we get over these industrial relations issues, the principle is what we should be applauding. This issue should be non-partisan; we should all support this. We are integrating transport into one agency and not favouring one over the other. We are getting the assessment balance right and looking at it as the journey for someone who is travelling. How do they get to the train station? For example, a cycleway, if it is separated, would be ideal. There could be secure lockers at the train station. They could get on a train and hire a bike at the other end, walk safely to their work, whatever it is. We have to plan that journey from home to work. It might involve different modes and that is why we should have an integrated transport body, which is what the Government is proposing. I strongly commend the bill to the House. I congratulate the Minister.

The Hon. NATASHA MACLAREN-JONES (20:34): I too support the Transport Administration Amendment (RMS Dissolution) Bill 2019. I reflect on the comments of the Hon. Shayne Mallard, who is a strong advocate for bicycle lanes. It was an informative speech and also an historical one—he gave us a bit of an update and also views on where things should be going. I want to talk about consultation with the unions in relation to this legislation, which is extremely important to place on the record. The Premier announced the restructure of the New South Wales government sector, including the merging of Transport for NSW and Roads and Maritime Services. This announcement was made in April of this year. In fact, it was made two days after Cabinet was sworn in on 4 April. The first meeting of employee representative parties took place.

Transport for NSW has met with the unions at least 13 times since the integration was first announced. This includes a number of meetings following the first introduction of the legislation. The Government has given assurances to the union movement regarding the protection of award terms and conditions. Those terms and conditions have now been settled and are enshrined in the five new awards recently made by the Industrial Relations Commission. The Government has made it very clear and made a clear undertaking that it is going to grow jobs in Transport for NSW in the bush, particularly with the merging of Roads and Maritime Services and Transport for NSW. That means there are more jobs based in the regions to support our transport network. The Government has also given an undertaking that this is not about job cuts. It is about jobs growth for Transport for NSW in regional communities.

The New South Wales Government and Transport for NSW takes consultation with employees and their representatives extremely seriously. The meetings have included the Secretary for Transport on a number of

occasions. The transport cluster is being reorganised to deliver a better customer experience to the people of New South Wales no matter where they live. The Government is putting the needs of the customer first and the mode of transport second. The new operating model will put transport in a pole position to deliver on the Premier's priorities for the current term of Government. This includes a focus on well-connected communities with quality local environments and putting the customer at the centre of everything that we do.

Practical steps to achieve the integration of Roads and Maritime Services into Transport for NSW were finalised on 1 July 2019. When complete, this will fully integrate every area of transport under a single and unified transport banner. There is no change to the employment status of any staff member as a result of the transition to a single agency. All Roads and Maritime Services staff and Transport for NSW staff are already members of the same transport service, as distinct from the public service. The Secretary for Transport exercises the employer functions in relation to all members of transport service. All staff remain members of the transport service and the Secretary for Transport remains their employer.

The administrative changes to achieve integration have already been made. On 1 July 2019 Roads and Maritime Services staff were transitioned into the new divisions of Transport for NSW in a lift and shift process where they and their teams were moved intact into the new divisions. All that has changed in this transition is the senior reporting lines. Roads and Maritime Services staff remain on their current awards, as do staff of Transport for NSW and all other transport agencies. The previous Transport for NSW and RMS awards reached their nominal expiry dates on 1 July 2019 and have been renegotiated.

I am informed that all four RMS awards and the Transport for NSW award have been made by the NSW Industrial Relations Commission and are now operational. The Secretary for Transport has made a firm commitment that these awards will continue to apply to the groups of employees to which they currently apply. I understand from the Minister for Transport and Roads that this position was settled by agreement between the parties and is reflected in the terms of the awards. These awards also set out clear principles for the consultation process for dealing with any organisational changes during the life of the new awards. Each of the new awards has a two-year term. This was endorsed by the Wages Policy Taskforce. The task force initially authorised only one-year terms, but it was persuaded to extend the authorisation to two years for all transport awards after further representations on behalf of the Transport secretary.

Transport for NSW is continuing a program of ongoing consultation with staff and unions about the reorganisation. As I have noted, the Minister for Transport and Roads has confirmed to me that consultation with staff and unions has and will continue to take place in accordance with the applicable awards. This consultation has included a briefing for unions on the terms of the bill now before us. I am advised that unions are of the view that they do not see anything in the provisions of this bill that in any way impacts adversely on the conditions of employment of their members employed in RMS—or indeed any staff of Transport for NSW.

This is not a bill about jobs or conditions of employment; it is a bill to dissolve RMS and transfer its functions to Transport for NSW. The staff who perform those functions have already moved into the new Transport for NSW operating model, as I have outlined. By drawing various functions together, Transport will be better placed to deliver the mobility services that customers need whilst continuing to respond to an ever-changing operating environment. Integrating Roads and Maritime Services into Transport for NSW will make it easier for staff, customers, industry, councils and other government agencies to effectively engage on transport matters. The new operating model will simplify decision-making and ensure that decisions truly reflect customer needs and expectations. I commend the bill to the House.

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (20:41): I support the Transport Administration Amendment (RMS Dissolution) Bill 2019 and will outline to members the benefits that the reorganisation of the Transport cluster will bring to the people of this State. I thank the Hon. Shayne Mallard for his contribution, particularly in relation to cyclists and what they mean in the Transport cluster. To be honest, the issues he alluded to about cycleways in the city are not really the same issues we have in Gunnedah but I found his contribution very interesting nonetheless.

He spoke about the Hon. Duncan Gay and his time as the Minister responsible for Roads and Maritime Services [RMS]. He also spoke about his role in relation to cycleways. I make the point that Duncan was the Minister who took the Roads and Traffic Authority [RTA] and turned it into RMS. The Hon. Duncan Gay started the process by reforming the RTA into RMS. That was about putting the word "services" in the title and making sure that the needs of customers—the taxpayers of New South Wales—were front and centre when it came to roads. That was one of the many great reforms done by Duncan. It also fits in well with this bill.

As other speakers have said, in early April the Premier announced the key priorities of the New South Wales Liberal-Nationals for this term of government. Clearly, transport has a critical role to play in delivering on a number of those priorities, including building a stronger economy, delivering well-connected communities with

quality local environments and making the customer the centre of everything we do. That echoes back to the Hon. Duncan Gay putting customers at the centre of RMS in his time as Minister.

A range of changes have been made to the government sector that are designed to deliver on the priorities and commitments to the community of the Liberal-Nationals Government by putting an even greater focus on social reforms in regional New South Wales. The reorganisation of Transport for NSW is designed to create a fully integrated transport agency that is capable of delivering on the Government's commitments.

Integrating Roads and Maritime Services is a sensible and logical next step for Transport for NSW as the lead agency in the Transport cluster. It will fully integrate every area of transport under a single, unified banner and break down any residual silos that frustrate effective service delivery, particularly in regional areas. The bill is an important element in achieving that aim. As a regional MP, I know that other members will agree that there are some great staff working at RMS but there are sometimes some frustrations with process. The bill will certainly help in that regard. It will put beyond doubt the merging of the functions of Roads and Maritime Services into the Transport cluster and ensure that there are no gaps in relation to the proper exercise of those functions. This is good legislation. It is a good bill and we should all support it.

The Hon. SCOTT FARLOW (20:45): In reply: There has been a comprehensive ventilation of views from across the House about the Transport Administration Amendment (RMS Dissolution) Bill 2019. I thank all members who contributed to the debate. The Hon. John Graham, Mr David Shoebridge, Reverend the Hon. Fred Nile, the Hon. Wes Fang, the Hon. Ben Franklin, the Hon. Damien Tudehope, the Hon. Shayne Mallard, the Hon. Natasha Maclaren-Jones and the Hon. Sarah Mitchell put before the House a diversity of views on the bill. It is widely acknowledged across the House that members support the bill, although they may have their own concerns about some aspects of it—which we will discuss during the Committee stage. I 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.

In Committee

The CHAIR (The Hon. Trevor Khan): There being no objection, the Committee will deal with the bill as a whole. I have just received an amendment from the Hon. John Graham, which is unheaded and is being distributed now. Apart from that amendment, which was received at 8.45 p.m., we have The Greens amendments appearing on sheet c2019-070A; Opposition amendments, which are quite similar, appearing on sheet c2019-055C; and One Nation amendments. I invite Mr David Shoebridge to move his amendments, which were received first.

Mr DAVID SHOEBRIDGE (20:49): By leave: I move The Greens amendments Nos 1 to 4 on sheet c2019-070A in globo:

No. 1 No forced redundancies

Page 6, Schedule 1[35]. Insert after line 34—

No forced redundancies for RMS or TfNSW staff

A person who, immediately before the dissolution of Roads and Maritime Services, was a member of staff of Roads and Maritime Services or Transport for NSW must not be removed from the Transport Service (other than on disciplinary or incapacity grounds or as part of a voluntary redundancy) within the period of 4 years commencing on the date of that dissolution.

No. 2 No privatisation or outsourcing of work

Page 6, Schedule 1[35]. Insert after line 34—

No privatisation or outsourcing of RMS or TfNSW work

For the period of 4 years commencing on the date of the dissolution of Roads and Maritime Services—

- (a) any function or work that, immediately before that dissolution, was exercised or carried out by Roads and Maritime Services or Transport for NSW must not be privatised or outsourced to a non-government sector entity, and
- (b) any existing contract or arrangement for the carrying out of maintenance work on behalf of Roads and Maritime Services or Transport for NSW in the Sydney metropolitan area (within the meaning of the *Regional Development Act 2004*) by a non-government sector entity must not be extended or renewed.

No. 3 No reduction in staff numbers

Page 6, Schedule 1[35]. Insert after line 34—

Minimum number of TfNSW regional employees

- (1) For the period of 4 years commencing on the date of the dissolution of Roads and Maritime Services, the number of full time equivalent employees of Transport for NSW in regional NSW must not be reduced below the sum of the number of Roads and Maritime Services and Transport for NSW full time equivalent employees in regional NSW immediately before that dissolution.
- (2) In this clause, *regional NSW* means that part of New South Wales that is not within the Sydney metropolitan area within the meaning of the *Regional Development Act 2004*.

No. 4 **RMS awards not to be merged into Transport Service awards**

Page 6, Schedule 1[35]. Insert after line 34—

RMS awards not to be merged into Transport Service awards

- (1) The Transport Secretary must ensure, for the period of 4 years commencing on the date of the dissolution of Roads and Maritime Services, that the existing RMS awards—
 - (a) continue to apply to persons who were members of staff of Roads and Maritime Services immediately before that dissolution, and
 - (b) are maintained as separate awards and are not combined with any other award applying to employees in the Transport Service.
- (2) In this clause, *existing RMS awards* means the following—
 - (a) the *Roads and Maritime Services Consolidated Salaried Award 2019*,
 - (b) the *Roads and Maritime Services School Crossing Supervisors Award 2019*,
 - (c) the *Roads and Maritime Services (Traffic Signals Staff) Award 2019*,
 - (d) the *Roads and Maritime Services (Wages Staff) Award 2019*.

We have discussed in detail the reasons for bringing these amendments to the House. We discussed them when the merger was originally proposed in the budget bills. I indicated that we worked with the unions, particularly the union that represents the pool of engineers in RMS—probably the last large pool of skilled, highly qualified, professional engineers in the New South Wales public service—who are a critical asset to the people of New South Wales. We will move heaven and earth to protect their employment conditions and to ensure that they remain to provide their services to the people of New South Wales. Obviously we have also been working with Unions NSW to ensure that we have a set of amendments that protect those staff who are being transferred into the merged entity. I will speak briefly to each of the four amendments.

Amendment No. 1 provides for no forced redundancies for RMS or Transport for NSW staff. It provides that those staff who are employed immediately before the dissolution of RMS and Transport for NSW cannot be removed from the Transport Service "other than on disciplinary or incapacity grounds or as part of a voluntary redundancy" for a period of four years, commencing on the date of the dissolution. Employment protections for four years is the first amendment. Obviously there are the exclusions for disciplinary matters, or for incapacity, or if somebody seeks to take a voluntary redundancy, but apart from that there is a statutory protection.

Amendment No. 2 prohibits the privatisation or outsourcing of work that is currently undertaken by Roads and Maritime Services or Transport for NSW. That work that is currently done by public servants cannot be privatised or outsourced. Again, there is that four-year statutory protection. Personally I would have liked a permanent protection for that, but the discussions that have taken place, particularly industrially and otherwise, have suggested that the reasonable period for protection is four years. The second element of amendment No. 2 is that any existing contract or arrangement for the carrying out of maintenance work on behalf of RMS by a non-government sector entity cannot be extended or renewed. That, again, ensures that privatisation does not take over public jobs by stealth by the extension or renewal of an existing contract. There may be some more discussion about that aspect of the amendment in this Committee process.

Amendment No. 3 ensures that the number of regional employees remains after the dissolution because we know that, particularly in regional New South Wales and especially now when people are suffering from the effects of the drought and the loss of income that comes from a drought, jobs, particularly public sector jobs, are essential. Also, it is crucial to us to ensure that we have public sector workers in our key transport agencies out there in the regions who are able to provide their professional services. Amendment No. 3 requires the headcount to be retained in regional New South Wales. "Regional NSW" is defined as all parts of the State, except those that fall "within the Sydney metropolitan area within the meaning of the *Regional Development Act 2004*". I understand that Labor has an amendment to this that will also protect workers in the Blue Mountains. The Greens will support that extension to the Blue Mountains.

Amendment No. 4 will ensure that for a period of four years, commencing on the date of dissolution of the RMS, a series of awards continues to apply to those persons who were employed by the RMS. It will require the maintenance of these awards as separate awards for the period of four years. I think we heard earlier from Parliamentary Secretary Farlow that there has been a successful negotiation process, and the negotiation for the amendments to each of the four key awards has now concluded.

This will protect those four awards, being the Roads and Maritime Services Consolidated Salaried Award 2019, the Roads and Maritime Services School Crossing Supervisors Award 2019, the Roads and Maritime Services (Traffic Signals Staff) Award 2019 and the Roads and Maritime Services (Wages Staff) Award 2019. The Greens have moved these amendments because we believe that working people's rights are precious and should not be bargained away for administrative convenience. We commend all four of those amendments to the House and look forward, with those amendments, to the speedy passage of the bill; a consolidated agency with employees whose work is respected and protected.

The CHAIR (The Hon. Trevor Khan): So far four amendments have been moved. The first amendment deals with no forced redundancies. I note that the Hon. Mark Latham has an amendment appearing on sheet c2019-187, received at 8.08 p.m., which deals with that first amendment. To keep some order I will call upon the Hon. Mark Latham now.

The Hon. MARK LATHAM (22:55): I move Pauline Hanson's One Nation amendment No. 1 on sheet c2019-187:

No. 1 **No forced redundancies for RMS staff**

Page 6, Schedule 1[35]. Insert after line 34—

No forced redundancies for RMS staff

- (1) The employment of a Transport Service non-executive employee who, immediately before the dissolution of Roads and Maritime Services, was a member of staff of Roads and Maritime Services must not be terminated on the grounds of redundancy (other than voluntary redundancy) directly as a result of that dissolution.
- (2) This clause ceases to have effect at the time that the following awards cease to apply to any employee in the Transport Service—
 - (a) the *Roads and Maritime Services Consolidated Salaried Award 2019*,
 - (b) the *Roads and Maritime Services School Crossing Supervisors Award 2019*,
 - (c) the *Roads and Maritime Services (Traffic Signals Staff) Award 2019*,
 - (d) the *Roads and Maritime Services (Wages Staff) Award 2019*.

My One Nation amendment is an alternative to the amendment that has been moved by Mr David Shoebridge. It can be taken that way in debate and in subsequent voting. I thank Mr David Shoebridge for his contribution to this debate. At budget time he certainly influenced One Nation members to support his propositions, but since then there has been what we regard to be something of a game changer. The departmental secretary, on behalf of the Government, has reached a memorandum of understanding with the secretary of Unions NSW, Mark Morey. At page 3 of that memorandum a whole series of commitments were given by the Secretary of the Department of Transport about job protection. The first of those is to retain and not delete or eliminate the existing RMS group of staff created under the Transport Administration Act. The list goes on.

These are significant undertakings, which have influenced One Nation to modify its amendments because it understands that that memorandum will bring about industrial peace, harmony and good staff morale, and that the Government would be incredibly foolhardy to break it. I think the memorandum is the first line of defence for the workers, seeing that it has been arrived at by no less a figure than the head of Unions NSW and the Secretary of the Department of Transport. Therefore the One Nation position in this amendment is that there will be no forced redundancies for RMS staff and to recognise that that protection extends to non-executive employees immediately before the dissolution of the RMS, which gives the Government some latitude to deal with those at executive level.

Everyone in this place has respect for taxpayer dollars and understands the need to ensure that that these organisations are not top heavy. If there is some capacity there, as the Minister seems to be indicating, to deal with bloated arrangements at the top of the organisation, and to put these services out across the State, particularly in country areas during a time of drought to ensure that his commitment to increased levels of non-metropolitan employment is fulfilled, then I think that is the appropriate safeguard. It gets the balance right and ensures that the public interest is being met. That is the proposition that One Nation advocates to the Committee.

The CHAIR (The Hon. Trevor Khan): It is a matter for you—and there is no limitation on the number of times that you can speak—but you may wish to address any of the other amendments that have been put so far.

The Hon. MARK LATHAM: I will do that if you want me to and if it helps the Chamber.

The CHAIR (The Hon. Trevor Khan): It does.

The Hon. MARK LATHAM: I will take the Chair's advice and move through the other provisions. One Nation does not support amendments Nos 4 and 5. Amendment No. 4 has been circulated to One Nation from both the Labor Opposition and The Greens. It is my understanding that amendment No. 5 is a standalone Labor amendment. We all support amendment No. 3, which is important. It deals with no reduction in staff numbers. With respect to amendment No. 2—no privatisation or outsourcing of work—the One Nation amendment is to delete the words "or outsourcing" in the second line and the words "of TfNSW", then in paragraph (a) to delete the words "or Transport for NSW" and "of outsourced" and the entire paragraph (b).

If I can repeat that, our amendment is to delete the words in the second bold line "or outsourcing of" and then "of TfNSW" so it reads, "No privatisation of RMS work", then in part (a) to delete the words "or Transport for NSW" and "or outsourced" and delete all of part (b). Our commitment essentially is to oppose privatisation inside Roads and Maritime Services. We believe that is the appropriate stance. We are suggesting a deletion of outsourcing restrictions given that, inevitably, this sort of agency would have information technology arrangements, new technology, new opportunities at least in the computer field to do some outsourcing. You cannot freeze them for four years when those technologies are changing so quickly. Obviously there are efficiencies to be gained with that sensible policy. Our stance is to oppose privatisation but to recognise the reality, particularly in IT, that outsourcing would inevitably be needed. We would look like complete Luddites in New South Wales to freeze the opportunity there in information technology in a major agency like this.

The CHAIR (The Hon. Trevor Khan): Can I ask that you formally move your amendment in respect of The Greens amendment No. 2?

The Hon. MARK LATHAM: I move:

That amendment No. 2 of Mr Shoebridge on sheet c2019-070A be amended as follows:

1. Omit the heading and insert instead "**No privatisation of RMS work**".
2. Omit subparagraph (a) and insert instead:

"(a) any function or work that, immediately before that dissolution, was exercised or carried out by Roads and Maritime Services must not be privatised to a non-government sector entity."
3. Omit subparagraph (b).

The CHAIR (The Hon. Trevor Khan): I now move to the Hon. John Graham. Because The Greens have moved amendments Nos 1 to 4 on their sheet, your amendments Nos 1 to 4 are *functus officio*, but it still leaves your amendment No. 5 if you wish to move that.

The Hon. JOHN GRAHAM (21:02): I move Opposition amendment No. 5 on sheet c2019-055C:

No. 5 **Disputes may be resolved by Industrial Relations Commission**

Page 6, Schedule 1[35]. Insert after line 34—

Certain industrial disputes regarding dissolution of RMS may be resolved by Industrial Relations Commission

- (1) If a person who, immediately before the dissolution of Roads and Maritime Services, was a member of staff of Roads and Maritime Services is of the opinion that the person has, or a group of similar persons have, been materially disadvantaged by that dissolution or actions directly consequent on that dissolution, the person, or an industrial organisation acting on behalf of the person or group, may apply to the Industrial Relations Commission to have the matter determined by conciliation and, if necessary, arbitration.
- (2) The Industrial Relations Commission may conduct that dispute resolution process in a manner that the Commission considers appropriate.
- (3) The Industrial Relations Commission may make orders in relation to the matter that the Commission considers are fair and reasonable in the circumstances.
- (4) In this section:

industrial organisation means:

- (a) an industrial organisation of employees within the meaning of the *Industrial Relations Act 1996*, or

- (b) an association of employees registered as an organisation under the *Fair Work (Registered Organisations) Act 2009* of the Commonwealth.

I will make some general remarks about all the amendments and then step through a number of issues. The first of those is that by and large we seek to move amendments here that hold the Government to some of the commitments that have been made in general as this comes through. That is certainly true of an issue such as regional jobs, which is particularly important when it comes to these measures.

Secondly, we do so in part because of the way this legislation came through. The Minister has been quite vocal in the last 24 hours about the role this House is playing. I simply say to other members of the Government who do not want their bills dealt with in this way that it would be best to be up-front and not follow the path that this has taken, whereby we were told there would be no legislation and then legislation came through. That is the backdrop and that is why we have moved these detailed amendments to hold the Government to those commitments that have been made. Our amendments are of a similar nature to those of The Greens so I indicate up-front that we will be withdrawing our amendments Nos 1 to 4.

The CHAIR (The Hon. Trevor Khan): You actually cannot move them, but be that as it may.

The Hon. JOHN GRAHAM: Thank you for that guidance, Chair. In that unheaded set of amendments we are making a set of minor tweaks to those amendments. In relation to The Greens amendment No. 2, I move:

That amendment No. 2 of Mr Shoebridge on sheet c2019-070A be amended as follows:

1. Omit in subparagraph (b) "of maintenance work" and insert instead "of road and construction maintenance work".
2. Omit in subparagraph (b) "or renewed" and insert instead "in scope".

This really tightens this up. It deals with some Government concerns that this may have been too wideranging and we think makes the amendment more acceptable. In relation to our amendment to The Greens amendment No. 3, this would include the City of Blue Mountains but otherwise has the same effect. I move:

That amendment No. 3 of Mr Shoebridge on sheet c2019-070A be amended by omitting clause (2) and inserting instead:

- "(2) In this clause, *regional NSW* means that part of New South Wales that is not within the following areas—
- (a) the Sydney metropolitan area within the meaning of the *Regional Development Act 2004*; and
 - (b) the local government area of the City of the Blue Mountains."

In relation to The Greens amendment No. 4, I move:

That amendment No. 4 of Mr Shoebridge on sheet c2019-070A be amended by omitting subclause (1) and inserting instead:

- "(1) The Transport Secretary must ensure, for the period of 4 years commencing on the date of the dissolution of Roads and Maritime Services, that the existing RMS awards are maintained as separate awards and are not combined with any other award applying to employees in the Transport Service."

This deletes one portion of this and correctly removes something which now has been superseded by the memorandum of understanding. We recognise that the MOU is now in place. This is an appropriate withdrawal of some of the amendments which were on the record. We will move our final amendment, which seeks to drive consultation and some sort of conciliation and arbitration if there are impacts—real net detriments—as a result of this merger. That is the state of the Opposition's view on this set of amendments.

Mr JUSTIN FIELD (21:05): Can I just clarify whether Labor has moved amendment No. 5 as part of this?

The CHAIR (The Hon. Trevor Khan): It has.

Mr JUSTIN FIELD: So all of the amendments are being moved as part of this debate?

The CHAIR (The Hon. Trevor Khan): Yes. The Greens have moved their amendments Nos 1 to 4, the Hon. Mark Latham has moved his amendment and the Hon. John Graham has moved amendment No. 5 as well as his amendments to The Greens amendments Nos 2 to 4 on c2019-070A.

The Hon. John Graham: Yes, One Nation has moved two of them.

The CHAIR (The Hon. Trevor Khan): Yes, sorry.

The Hon. Scott Farlow: There is the amendment to The Greens amendment as well.

Mr JUSTIN FIELD: I believe I am on the same page, Chair. Thank you. I will quickly speak to these amendments. I have had a number of conversations with the Government, with the Opposition and with Unions NSW today about these amendments. I am sympathetic to all of the amendments and recognise why they

have come about. I also recognise that the memorandum of understanding that is in goes into some detail around the way dispute resolution could work as a result of the merger. Obviously any time things change within the public service—mergers or other things—there are going to be impacts. It does seem that significant work has gone into working out how those impacts can be mitigated and how disputes around them can be managed.

I indicate that I will be supporting amendment No. 1. I understand the arguments put by One Nation with regard to their amendments to amendment No. 1. It certainly shortens the time period of those forced redundancies and ties that to the existing awards. But it is a substantial change and I indicate that I will be supporting The Greens amendment No. 1, which is the four-year commitment. With regard to no privatisation or outsourcing of work, I certainly raised this issue today with the Opposition and with Unions NSW. I recognise that significant tightening is going to be proposed in the Labor amendments.

I think that makes sense. As it was written it seemed to capture all sorts of existing contracts. I cannot imagine that the intention was ever to capture information technology work, maintenance of the Opal system or back-end business. That does seem to be significantly tightened with the Labor changes. I will be supporting those amendments by Labor to The Greens amendment No. 2. I think there is broad agreement in the Chamber around amendment No. 3 as it relates to regional employees. I will be supporting the Labor amendments to The Greens amendments on that.

With regard to amendment No. 4, I seek some information from the Government in their response and an outline in a little more detail from the Labor Opposition as to how this is going to work in practice. As I understand it, the four 2019 awards that are mentioned here are in place for two years—2019 and 2020. It would make sense to me that the target for those awards to be merged into a single award would be the time which those awards have to continue to operate and at the end of their operation there would be an effort to merge them at that time. That would seem to have made sense.

Amendment No. 4 requires the secretary to ensure, for a period of four years commencing on the dissolution of Roads and Maritime Services, that the existing RMS awards continue to apply. That seems to me to be unnecessary. It would be much better to seek to do the merger by the end of the current award period. I would like to understand the implications from the Government's perspective on that and also to understand why The Greens and Labor do not think that the merger could happen in the time period of the existing awards.

I invite the Opposition to outline its amendment No. 5 in more detail. As I understand it, the MOU is tied to the awards; it is not recognised in the current awards. Dispute resolution mechanisms are recognised in the MOU and outlined in the awards. If disputes are not able to be resolved in the workplace, through the escalations that are available under the awards and as outlined in the MOU, the staff and unions have the option to take those issues to the Industrial Relations Commission [IRC] as a last resort. To me, the amendment seems to turn upside down the current arrangements and those that were envisaged through the creation of the MOU, which are reflected in the award.

I would like to hear from the Government and Labor whether my understanding of the amendment is correct because if it is the case that the IRC is currently able to be accessed for disputes that may come about because of the merger, why should that be included as a first option in the legislation? How is that going to impact on workplace harmony? These sorts of transitions are challenging; there will be disputes. If it is the first resort for individual employees or unions to go straight to the IRC, it seems to me that it will make the merger process potentially more difficult and lead to less harmony in workplaces in working out how the merger works. I would like to better understand that in responses from the Government and the Opposition.

The Hon. SCOTT FARLOW (21:11): The Government opposes The Greens amendment No.1 on sheet c2019-070A but it supports the amendment to that amendment moved by the Hon. Mark Latham, which provides that there are no forced redundancies for Roads and Maritime Services [RMS] staff. This would be inserted on page 6, schedule 1 [35] after line 34. The amendment deals with the issue of forced redundancy. It states:

- (1) The employment of a Transport Service non-executive employee who, immediately before the dissolution of Roads and Maritime Services, was a member of staff of Roads and Maritime Services must not be terminated on the grounds of redundancy (other than voluntary redundancy) directly as a result of that dissolution.

That would continue to apply while the four RMS awards apply. The One Nation amendment will substantially achieve the same as the Opposition amendments and The Greens amendments—both Nos 1 and 3 from the Government perspective—that also deal with no forced redundancies for RMS and Transport for NSW staff and with maintaining a minimum number of regional employees. The requirements will apply for four years after the RMS dissolution.

As the Government has emphasised again and again, the bill is designed to do no more than support the integration of Roads and Maritime Services, its staff and functions into the Transport cluster. It ensures that the functions of Roads and Maritime Services continue to be exercised even after its dissolution as a separate statutory

entity and that the staff of RMS can continue to exercise those functions confidently and lawfully. Transport has a critical role to play in delivering on the Government's priorities, including building a stronger economy, delivering well-connected communities with quality local environments and making the customer the centre of everything it does.

The changes being made to the Transport cluster operating model are designed to deliver better-integrated service delivery across all modes to keep driving better customer outcomes and to put a greater focus on creating better places for people across New South Wales, no matter where they live. A greater focus on regional areas will also ensure that the decision-making is truly based on the distinct customer needs and expectations of regional communities. As always, safety will remain a core priority in everything Transport does. The Opposition and The Greens amendments would capture even the highest-level senior executives, restricting the Government's ability to the new Transport cluster operating model. Additionally, it is an accepted right for an employer to manage the performance of its employees so that it can continue to deliver high-quality customer service.

One Nation's amendment about forced redundancies would apply only to award staff and not the higher-level senior executives. It would provide the flexibility agreed to between the Secretary of Transport for NSW and the unions when settling the terms of the RMS awards. As has been captured by the Hon. Mark Latham and Mr Justin Field, the memorandum of understanding between Unions NSW and Transport for NSW has been a game changer. It was entered into on 31 July 2019 and established a consultative process for dealing with situations where roles need to be assigned and transferred to other parts of the organisation.

I re-emphasise for the benefit of the House that this was of course agreed with Unions NSW. The Greens-Opposition amendments would lock in current award arrangements without permitting the employer and the representatives of staff to negotiate and discuss appropriate changes, which was a concern raised by Mr Justin Field. It would limit individual employee choice. If a former RMS staff member applies for a Transport for NSW role the RMS award will apply to them regardless of whether the terms and conditions are less favourable. This will lead to low morale and staff engagement generally.

According to the agency, some staff have indicated that they would like to have the RMS and Transport award conditions aligned. Others may not want this. One Nation's amendment No. 1 allows employees to have their views heard. As indicated, the Government has already made solid commitments around regional growth and jobs. We are growing jobs in the regions to support the growth of our transport network. We support the One Nation amendment in this regard and oppose the amendment of Mr David Shoebridge.

With respect to amendment No. 2, the Government is supportive of the unheaded changes proposed by the Hon. Mark Latham to Mr David Shoebridge's amendment No. 2. We believe this better encapsulates some of the Government's concerns with respect to the breadth of that amendment. The Government believed the amendment as originally moved by Mr David Shoebridge was too broad. To that point, I say the Government still shares that concern with the amendment proposed by the Hon. John Graham, unheaded. We believe these amendments in their original form and those amended by the Hon. John Graham add a significant level of uncertainty or risk to Transport for NSW's ability to respond to complex environments across the transport network.

Transport for NSW has an enviable and proud history of partnering with world leaders to deliver innovative solutions and be at the forefront of emerging technologies, such as mobile phone detection cameras, where the trial recently concluded is a world first. The explosion of new technology means that we constantly engage with industry to take advantage of and leverage solutions that make it easier for the people of this State to do business with the Government. We are talking about key operational systems and services such as Opal and the Intelligent Congestion Management Program. The amendments as moved by the Hon. John Graham and Mr David Shoebridge would stop Transport for NSW's ability to partner in future with industry leaders from around the world. It would stifle innovation, agility, safety improvements and efficiencies.

These are not just nice-to-haves; they are essential and core operational improvements. Stopping the ability to innovate will impact on safety and the levels of service provided to customers. It is quite simple: Not being able to partner with industry means we will not be able to deliver innovative solutions on the current scale or in the current time frames. Our partners bring experience and innovation from the worldwide footprint. There are massive investments happening on a global scale in areas like artificial intelligence, mobility as a service, and connected and automated vehicles that Australia needs to leverage rather than reinvent. They bring speed and agility to solve our business problems.

For instance, recently Transport for NSW partnered with an analytics company to deliver a proof of concept that utilises artificial intelligence to analyse operational data to provide many new insights to understand how to better respond to service disruptions. The proof of concept took two months to implement, whereas if this amendment was in place Transport for NSW would have had to build the capability internally, taking longer and

at greater cost. IT maintenance is not core business for any government agency but the insourcing of these contracts will be caught by this amendment. IT maintenance is more cost effective when it is outsourced and government agencies focus on the core business of providing improved services for the people of New South Wales.

That is why the Government is supportive of the Hon. Mark Latham's amendment, because we believe it captures this concern. In the IT space, three of the cluster's largest IT contracts are for storage and servers, network maintenance and end-user computing support. There is currently an Australia-wide shortage of skilled IT professionals and IT organisations have greater capacity to support this type of technology. It is also more cost effective to government and helps to maintain required skills and the necessary consistency across government in terms of maintaining systems.

With respect to amendment No. 3, the Government will accept the amendments of the Hon. John Graham and as originally proposed by Mr David Shoebridge and notes the concern of the House in this regard. But the Government also reiterates our commitment to regional jobs and no reduction in regional staff numbers. We reiterate that in our view this amendment is unnecessary but the Government has already made solid commitments around regional growth and jobs. In fact, we are growing jobs in the regions to support the growth of our transport network.

Transport for NSW and Roads and Maritime Services [RMS] already work very closely together on a day-to-day basis. In regional areas many offices and worksites are already co-located. The full integration of Roads and Maritime Services into Transport for NSW will mean that there are no organisational barriers to realising the full benefits of integrated and coordinated services. It will ensure the breaking down of any residual silos that frustrate effective service delivery and will encourage even closer collaboration to ensure we take a holistic view of the challenges and opportunities in regional areas. This is the next logical step for Transport for NSW and will ensure all parts of the business will be focused on delivering the Government's Future Transport 2056 strategy.

As the Deputy Premier and member for Monaro said after the State election, "The New South Wales Liberal-Nationals Government recognises that many in our regional and rural communities are doing it tough. Better connecting our communities and unlocking opportunities through improved transport and road links will be a key priority during this term of Government." The Government will support this amendment to ensure its customers, particularly its regional customers, can benefit from better integrated service delivery across all modes and the creation of better places for people across New South Wales, no matter where they live. We underline that we believe the amendment is unnecessary because it was the Government's prior commitment.

The Government will not be supporting amendment No. 4 because we believe it harms staff in RMS and Transport for NSW. Unions and Transport for NSW, through the memorandum of understanding [MOU], agreed to ongoing staff and union consultation. I am advised that this proposed amendment was not raised during MOU negotiations, nor as part of the ongoing and regular discussions. I can only assume that it is not a position supported by the unions. To emphasise, this amendment seeks to override a negotiated and agreed position with the unions which unions signed up to in July and, as both the Hon. Mark Latham and Mr Justin Field recognise, was a game changer in this debate.

The amendment would in some cases bind individuals to less favourable conditions for up to four years to the detriment of that employee. For example, an existing RMS policy officer who applies for a Transport for NSW role would have to remain on the RMS award and would be sitting and performing work alongside Transport for NSW employees with different pay and conditions. The RMS policy officer would have no ability to negotiate to transfer to the Transport for NSW award because the amendment prohibits the officer from doing so, removing choice for existing employees and the basic right to negotiate their terms and conditions. Such a right is already provided for under the MOU that has been struck with the Transport for NSW Secretary and Unions NSW. In that respect we will also not be supporting the Opposition's amendment to The Greens amendment No. 4 on sheet c2019-070A.

Finally, the Government does not support the Hon. John Graham's amendment No. 5 because it undermines the existing industrial relations framework. The Industrial Relations Act already provides a

comprehensive framework for dispute resolution, which focuses on resolution of disputes at the workplace level rather than going straight to the Industrial Relations Commission to arbitrate disputes. Part 1, section 14 of the Industrial Relations Act requires all awards to have mandatory and comprehensive dispute resolution procedures. Section 131 of the Industrial Relations Act requires mandatory dispute resolution procedures to be followed first, that is, that all steps in the award must have been exhausted. It is only when the dispute resolution at the workplace level is exhausted that parties are then to refer it to the Industrial Relations Commission for conciliation and/or arbitration.

This amendment directly contradicts and cuts across the framework in the Industrial Relations Act and also the memorandum of understanding, which emphasises dispute resolution at the workplace level. The amendment provides for a completely new dispute resolution regime for employers from RMS but not for Transport for NSW, creating two classes of employees under the banner of one organisation. This will allow individual RMS employees, including its most senior executives, to lodge disputes directly with the NSW Industrial Relations Commission and will provide those senior executives with protections that are not provided to any other senior executive across the cluster or the government sector, for that matter. It will significantly limit the ability for Transport for NSW to resolve disputes at the workplace level and will undermine Transport for NSW's internal grievance processes, which are also open to executives and managers to utilise.

All Transport for NSW and RMS awards contain dispute resolution processes that have been recently agreed through award negotiations and which have successfully resolved most disputes. Of the just over 100 RMS and Transport for NSW disputes that have occurred since July 2017, 78 per cent were resolved with the assistance of the NSW Industrial Relations Commission. These dispute resolution clauses are also consistent with those operating across the entire government sector and are available to public sector employees to resolve disputes in relation to the impacts of machinery of government changes. Quite simply, the existing processes work. They are both efficient and effective. They have been developed and consistently applied across multiple agencies. Yet again unions have not pressed for these types of changes during the multiple award negotiations that have occurred recently across the sector.

Mr DAVID SHOEBRIDGE (21:24): I have been following, I think, the series of amendments to amendments to amendments and as I understand the state of play at the moment—

The CHAIR (The Hon. Trevor Khan): There are not amendments to amendments to amendments. It is fairly complicated but it is not quite that bad.

Mr DAVID SHOEBRIDGE: The amendments to amendments and mine are amendments to the bill, so there are amendments to the amendments, and I think in some cases there are dual amendments to the amendments—

The CHAIR (The Hon. Trevor Khan): No. I will go through that in each case.

Mr DAVID SHOEBRIDGE: —but I will go through it. In relation to amendment No. 1, the amendment moved by One Nation is not supported by The Greens. To be clear, we do not understand, because we have only seen it very recently, what is the effect in particular of subclause (2). It says that the protections that are put in subclause (1) of One Nation's amendment cease to have effect at the time that the following awards cease to apply to any employee in the transport services and there is a list of the four awards that are contained in the amendments. It is likely that the benefit of the protection could be defeated by moving an employee from one part of the agency to another and therefore negate the very employment protection.

Also, the terms of the protection in subclause (1) are also much narrower than the terms of the protection contained in The Greens amendments. The One Nation amendment only protects individuals from forced redundancy if the forced redundancy is directly as a result of the dissolution. If it is indirectly caused by the dissolution or it is for another purpose there is no protection against forced redundancy. That is why we do not support One Nation's amendment. It is a much weaker protection and there is a degree of legal uncertainty in it.

In relation to the two different amendments to The Greens amendment No. 2, I understand that the Hon. John Graham has moved his amendment No. 1 on his unheaded sheet. We will not be opposing Labor's amendment. We understand the purpose of it is to narrow the protection to road and construction maintenance work and indeed also to narrow the protection in subclause (b) instead of applying to any contract with an external entity not being extended or renewed the limit to prohibit those contracts being extended in scope. We understand the rationale behind that and we do not oppose that amendment. As to Labor's amendment to No. 3, again we do not oppose it because, as I understand it, that has been negotiated by Unions NSW. But it would expand the definition of "Sydney" to also include the Blue Mountains and therefore not protect employees in the Blue Mountains region. We understand that has been the subject of other negotiations and for those reasons we do not oppose it.

I go back to the One Nation's amendment to The Greens amendment No. 2. We understand the rationale for One Nation's amendment. We are not entirely hostile to the concept that there needs to be a capacity in certain circumstances to have fresh contracts. We do not believe that the drafting of The Greens amendment would prevent that. So if there is a new service, such as a new technology being applied, The Greens amendment would not prevent having a fresh contract with an external provider for new technology. I do not accept the Government's arguments in that regard. We will not be supporting One Nation's amendments because we think Labor's amendments are more carefully crafted and address the concern in a superior way.

We will not be opposing Labor's amendment to The Greens amendment No. 4. Indeed, we understand the rationale for it and we believe that it improves The Greens amendment No. 4, given the state of negotiations that have now gone on foot and the memorandum of understanding [MOU] that has been agreed between the parties. In light of the changes that have happened since we drafted that amendment, in particular the MOU, we support Labor's amendment because we think it reflects the reality on the ground and allows for flexibility. In relation to the arguments more generally that these protections are not required because there is an MOU, the consultation we have had with the unions is that they would far prefer, to the extent they can be carefully crafted, to rely on legislative protections rather than the MOU, which will not have the same force of law.

In relation to Labor's amendment which has effectively been discussed as amendment No. 5, The Greens do not oppose the inclusion of an additional dispute resolution power, particularly to deal with the issues that may arise as a result of the merger of the two entities. We think there is some sense in having a broader dispute resolution power and we would support that kind of broader dispute resolution power for the Industrial Relations Commission across the public service. We believe having that kind of arbitral power to sort things out is a way of ensuring industrial peace if there are intractable arguments.

The CHAIR (The Hon. Trevor Khan): I intend to put The Greens amendment No. 1 first. Subject to what happens with The Greens amendment No. 1, I will then put the One Nation amendment No. 1 because it deals with the same area. Then we will go through each amendment in turn.

The Hon. ADAM SEARLE (21:29): I speak very briefly in relation to the Opposition amendment No. 5. This amendment creates a dispute resolution power which is focused pretty narrowly on matters or disputes that arise upon the dissolution of the Roads and Maritime Services. The worst thing that could be said in relation to this amendment proposed by the Opposition is that it may be unnecessary because there is already a broad dispute resolution power in the Act. But we are dealing here with two statutory authorities that were created by legislation and are now being manipulated and reformed by legislation. Very sweeping powers are given to the chief executives of these bodies, both existing and proposed, and it is possible that there is some cutting across the general power of the commission under the Industrial Relations Act as it stands.

While that has not been a practical problem to this point, we would not want any legal technical problem to arise in relation to the statutory construction of the transport authority such that matters that arise on the dissolution where people who are, to use the term in the amendment, "materially disadvantaged" cannot find a venue to have those matters resolved. I hear what the Parliamentary Secretary says about the memorandum of understanding and the importance of resolving disputes as close to the source of those disputes as possible. This is beginning to sound like the foreword to a human relations manual but the fact remains that it is desirable for industrial parties to be able to work matters out at the workplace. Fast breaking news, they do where they can because nobody wants to go to a third party where an unexpected and perhaps unwelcome outcome may occur.

Industrial parties, particularly institutional parties such as unions and employers with long experience in this field, do not enterprise upon going to the independent umpire lightly. But where they need to do so because a dispute between a line manager and the individuals concerned is intractable and neither the union nor more senior management can sort it out, the NSW Industrial Relations Commission has historically been a very useful circuit breaker breaking the logjam of disputes otherwise thought to be unresolvable. By making the parties get out of their corners and explain the matter to somebody not intimately involved in the dispute and its long history and articulate how the matter has arisen, why it is a problem and why the solution being proposed is reasonable or necessary, it has provided a useful function not only for the workforce concerned and for trade unions but also for organisations and managers.

It has in fact served the public interest usefully for well over a century. The Opposition has put this amendment forward as part of a suite of amendments to make clear beyond any doubt that these matters can be dealt with by the third party, the independent umpire. No-one will rush there. There will not be an avalanche of cases because nobody wants to go to the effort or the expense unnecessarily. But we want to make sure that the unions and the workforce concerned, who are intimately impacted by these changes, have the comfort and the safety net that should it be necessary there is an external third party to whom they can turn to resolve matters that are otherwise not able to be resolved. It is a very reasonable proposition.

I am astonished that the Government seeks to resist. It can only be on narrow, ideological grounds and its historical hatred of the industrial relations system more generally that has clouded its judgement on this matter. This is a very balanced matter and a very balanced and narrowly cast amendment. Hopefully it will never need to be invoked but it is there for more abundant caution. I urge all honourable members to join with us to give the workforce affected by this quite profound set of changes that additional modicum of comfort to help this matter on its way.

The Hon. JOHN GRAHAM (21:36): I thank the Leader of the Opposition in this place for those remarks. In relation to amendment No. 5, as it has been referred to, this is regarded as a safety valve. We regard it as useful here. Mr David Shoebridge suggests it might be useful elsewhere. That may well be the case. This amendment seeks to introduce the idea that no worker should suffer a net detriment as a result of this merger. It has been drafted by Parliamentary Counsel in this form in order to drive that idea through. We are up-front that there is a philosophical divide between how the Government and the Opposition want to deal with this issue. We believe in discussion and conciliation. I invite members to choose which side of the philosophical divide they are on tonight.

The CHAIR (The Hon. Trevor Khan): I had closed debate before. It seemed that only one person was going to make a further contribution. There are now three.

The Hon. SCOTT FARLOW (21:37): I will be brief. I want to pick up on the point that this is an ideological divide. This amendment would up-end the whole precedent for the entire public service in New South Wales for one department in Transport for NSW and those staff transferring across from RMS. The Government has no qualms with the Industrial Relations Commission being an arbiter in this regard but it does not take the view that the Industrial Relations Commission should be the first port of call. It takes the view that the Industrial Relations Commission should be an avenue by which parties can seek to have their matter addressed after it goes through a process, which is already well outlined in the awards and well outlined and ventilated in the MOU. That is why the Government believes this amendment is unnecessary and would be an exceptional precedent to set for one instrument of government when it does not apply to all.

The CHAIR (The Hon. Trevor Khan): Mr David Shoebridge has moved The Greens amendment No. 1 on sheet c2019-070A. The question is that the amendment be agreed to.

The Committee divided.

Ayes 18
Noes 17
Majority..... 1

AYES

Banasiak, Mr M
D'Adam, Mr A (teller)
Field, Mr J
Hurst, Ms E
Primrose, Mr P
Sharpe, Ms P

Boyd, Ms A
Donnelly, Mr G
Graham, Mr J
Jackson, Ms R
Searle, Mr A
Shoebridge, Mr D

Buttigieg, Mr M (teller)
Faehrmann, Ms C
Houssos, Mrs C
Moriarty, Ms T
Secord, Mr W
Veitch, Mr M

NOES

Ajaka, Mr
Fang, Mr W (teller)
Latham, Mr M
Martin, Mr T
Nile, Revd Mr
Tudehope, Mr D

Amato, Mr L
Farlow, Mr S
Maclaren-Jones, Mrs (teller)
Mason-Cox, Mr M
Roberts, Mr R
Ward, Mrs N

Cusack, Ms C
Harwin, Mr D
Mallard, Mr S
Mitchell, Mrs
Taylor, Mrs

PAIRS

Mookhey, Mr D
Moselmane, Mr S

Blair, Mr
Franklin, Mr B

Amendment agreed to.

The CHAIR (The Hon. Trevor Khan): The next amendment, which was moved by the Hon. Mark Latham, seems to deal with the same subject matter as the amendment just agreed to. It is my view therefore that that amendment lapses, the previous amendment having been successful. I will now move to The Greens amendment No. 2 on sheet c2019-707A, to which the Hon. Mark Latham has moved an amendment. The question is that the amendment of the Hon. Mark Latham to The Greens amendment No. 2 be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.

The Committee divided.

Ayes 17
Noes 18
Majority..... 1

AYES

Ajaka, Mr
Fang, Mr W (teller)
Latham, Mr M
Martin, Mr T
Nile, Revd Mr
Tudehope, Mr D

Amato, Mr L
Farlow, Mr S
Maclaren-Jones, Mrs (teller)
Mason-Cox, Mr M
Roberts, Mr R
Ward, Mrs N

Cusack, Ms C
Harwin, Mr D
Mallard, Mr S
Mitchell, Mrs
Taylor, Mrs

NOES

Banasiak, Mr M
D'Adam, Mr A (teller)
Field, Mr J
Hurst, Ms E
Primrose, Mr P
Sharpe, Ms P

Boyd, Ms A
Donnelly, Mr G
Graham, Mr J
Jackson, Ms R
Searle, Mr A
Shoebridge, Mr D

Buttigieg, Mr M (teller)
Faehrmann, Ms C
Houssos, Mrs C
Moriarty, Ms T
Secord, Mr W
Veitch, Mr M

PAIRS

Blair, Mr
Franklin, Mr B

Mookhey, Mr D
Moselmane, Mr S

Amendment negatived.

The CHAIR (The Hon. Trevor Khan): I will now deal with the Hon. John Graham's amendment to Mr David Shoebridge's amendment No. 2. The question is that the Hon. John Graham's amendment be agreed to.

Amendment agreed to.

The CHAIR (The Hon. Trevor Khan): The question now is that The Greens amendment No. 2 on sheet c2019-070A as amended be agreed to.

Amendment as amended agreed to.

The CHAIR (The Hon. Trevor Khan): Mr David Shoebridge has moved The Greens amendment No. 3 on sheet c2019-070A, to which the Hon. John Graham has moved an amendment. The question is that the amendment of the Hon. John Graham be agreed to.

Amendment agreed to.

The CHAIR (The Hon. Trevor Khan): The question is that The Greens amendment No. 3 on sheet c2019-070A as amended be agreed to.

Amendment as amended agreed to.

The CHAIR (The Hon. Trevor Khan): Mr David Shoebridge has moved The Greens amendment No. 4 on sheet c2019-070A, to which the Hon. John Graham has moved an amendment. The question is that the amendment of the Hon. John Graham be agreed to.

Amendment agreed to.

The CHAIR (The Hon. Trevor Khan): The question is that The Greens amendment No. 4 on sheet c2019-070A as amended be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.

The Committee divided.

Ayes18
 Noes17
 Majority.....1

AYES

Banasiak, Mr M
 D'Adam, Mr A (teller)
 Field, Mr J
 Hurst, Ms E
 Primrose, Mr P
 Sharpe, Ms P

Boyd, Ms A
 Donnelly, Mr G
 Graham, Mr J
 Jackson, Ms R
 Searle, Mr A
 Shoebridge, Mr D

Buttigieg, Mr M (teller)
 Faehrmann, Ms C
 Houssos, Mrs C
 Moriarty, Ms T
 Secord, Mr W
 Veitch, Mr M

NOES

Ajaka, Mr
 Fang, Mr W (teller)
 Latham, Mr M
 Martin, Mr T
 Nile, Revd Mr
 Tudehope, Mr D

Amato, Mr L
 Farlow, Mr S
 Maclaren-Jones, Mrs (teller)
 Mason-Cox, Mr M
 Roberts, Mr R
 Ward, Mrs N

Cusack, Ms C
 Harwin, Mr D
 Mallard, Mr S
 Mitchell, Mrs
 Taylor, Mrs

PAIRS

Mookhey, Mr D
 Moselmane, Mr S

Blair, Mr
 Franklin, Mr B

Amendment as amended agreed to.

The CHAIR (The Hon. Trevor Khan): According to sessional order, it being 10.00 p.m., does the Minister require that I report progress to allow the motion for the adjournment to be moved?

The Hon. DON HARWIN: No.

The Committee continued to sit.

The CHAIR (The Hon. Trevor Khan): The question is that Opposition amendment No. 5 on sheet c2019-055C be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.

The Committee divided.

Ayes18
 Noes17
 Majority.....1

AYES

Banasiak, Mr M
 D'Adam, Mr A (teller)
 Field, Mr J
 Hurst, Ms E
 Primrose, Mr P
 Sharpe, Ms P

Boyd, Ms A
 Donnelly, Mr G
 Graham, Mr J
 Jackson, Ms R
 Searle, Mr A
 Shoebridge, Mr D

Buttigieg, Mr M (teller)
 Faehrmann, Ms C
 Houssos, Mrs C
 Moriarty, Ms T
 Secord, Mr W
 Veitch, Mr M

NOES

Ajaka, Mr
 Fang, Mr W (teller)
 Latham, Mr M
 Martin, Mr T
 Nile, Revd Mr

Amato, Mr L
 Farlow, Mr S
 Maclaren-Jones, Mrs (teller)
 Mason-Cox, Mr M
 Roberts, Mr R

Cusack, Ms C
 Harwin, Mr D
 Mallard, Mr S
 Mitchell, Mrs
 Taylor, Mrs

NOES

Tudehope, Mr D

Ward, Mrs N

PAIRS

Mookhey, Mr D
Moselmane, Mr SBlair, Mr
Franklin, Mr B**Amendment agreed to.****The CHAIR (The Hon. Trevor Khan):** The question is that the bill as amended be agreed to.**Motion agreed to.****The Hon. SCOTT FARLOW:** I move that the Chair do now leave the chair and report the bill to the House with amendments.**Motion agreed to.****Adoption of Report****The Hon. SCOTT FARLOW:** I move:

That the report be adopted.

Motion agreed to.**Third Reading****The Hon. SCOTT FARLOW:** On behalf of the Hon. Don Harwin: I move:

That this bill be now read a third time.

Motion agreed to.*Adjournment Debate***ADJOURNMENT****The Hon. DON HARWIN:** I move:

That this House do now adjourn.

COMMUNITY CABINET**The Hon. TAYLOR MARTIN (22:07):** On Monday 30 September Community Cabinet was held at Mingara on the Central Coast. This was the second Community Cabinet meeting held since the election in March this year.**The PRESIDENT:** If members wish to have private conversations I ask that they do so outside the Chamber.**The Hon. TAYLOR MARTIN:** Having the entire New South Wales Cabinet visit the Central Coast shows that the Berejiklian Government recognises the important role our region plays. This was a fantastic opportunity to showcase our region to the Premier and Ministers, and to see how the New South Wales can best support the Central Coast to grow. Around 100 community leaders, business people and other stakeholders attended the event, which was a great opportunity for the Cabinet to hear directly from leaders from our region. It also gave each Minister a chance to listen to people in our community, visit local projects and talk to stakeholders from our local area.

I thank the Ministers who attended for their openness as community leaders spoke to them about the issues they encounter and what they would like to see in the future for the Central Coast. In total, the New South Wales Government is delivering hundreds of millions of dollars for roads, over half a billion dollars for our two public hospitals and more than \$72 million for 60 individual projects across the Central Coast. The Government is working through its plan to deliver the appropriate number of jobs and infrastructure to accommodate a predicted 75,500 additional people on the Central Coast by 2036. The Central Coast Regional Plan 2036 is our 20-year blueprint for the future.

It was timely for the Community Cabinet to be held last month—just a few days after the Central Coast Council was forced to return \$4.6 million in a grant that it had received from this Government. The Winney Bay

Clifftop Walk was the council's own project. It had submitted plans and received appropriate funding. It had majority support in public consultation run by the council and an endorsement from Darkinjung Local Aboriginal Land Council, Regional Development Australia and The 5 Lands Walk committee. Instead, Labor and Green independent councillors stripped the project of its main features so that it no longer met the approved criteria that the funding was granted for. It was humiliating for our region and it was the first time during this Government's term that any council in New South Wales has handed back that type of funding after receiving it. I understand the money will now be redirected to other regional councils.

However, I was pleased to join the Premier at the Central Coast Conservatorium in Gosford along with the arts Minister and the member for Terrigal, Adam Crouch, to announce that it would be receiving \$2 million for a refurbishment of its premises. The conservatorium is based in the former courthouse and police station which was originally built in 1847. The facility is certainly showing its age. The funding delivers on our commitment to not only make the space fit for purpose but to also create a master plan for the venue's future.

The conservatorium project will deliver new retractable seating to increase the capacity of the performance space as well as install the only professional level piano in a community space on the Central Coast. The funding was part of an election commitment made in 2015 for \$12 million towards the Con and a Regional Performing Arts Centre on the Central Coast. Once again, council is inert when it comes to progressing a realistic vision for the project. Never has the Central Coast had a government so willing and ready to fund local infrastructure only to be met with such resistance from councillors. The Premier's message to the council was clear: Hop to it.

While on the Central Coast for the Community Cabinet, the Minister responsible for Aboriginal affairs and for heritage, the Hon. Don Harwin, announced that one of the State's most sacred Aboriginal sites will be protected forever with the Government announcing a State Heritage listing. The Calga Aboriginal Cultural Landscape is a symbolic and ritualised sandstone amphitheatre shaped like a womb. The site is of exceptional social and spiritual importance to local people. It is a place of great ceremony and includes shared spaces for groups to gather and special gender-restricted areas for traditional ceremony by women that will now be preserved and passed on to future generations. The area is particularly revered by Aboriginal women as a link to their ancestors and is a key resource for teaching future generations of Aboriginal children, particularly girls, about their culture and spirituality. I was pleased to be a part of the announcement. I congratulate the locals on their efforts to make it a reality.

WORKPLACE SAFETY

The Hon. ANTHONY D'ADAM (22:12): Sometimes tragic events push ordinary people into positions of leadership. They turn their grief into a force for change. I pay special tribute to two such people, Patrizia and Robert Cassaniti. They both know the personal cost of this State's failed work health and safety regime having lost their teenage son Christopher in an avoidable workplace incident in April this year. Patrizia and Robert have committed themselves to the cause of improving workplace safety. They are the perfect example of organic leadership emerging from tragedy. Recently, I was privileged to attend the launch of their foundation Touched By Christopher, an organisation they have dedicated to supporting grieving families whose loved ones did not come home from work. The foundation provides financial assistance to the families of workers who have been killed in the construction industry.

The assistance includes meeting the cost of groceries and utilities for three months to support families through the immediate period of their loss. It is a practical measure that Patrizia and Robert have initiated to honour Christopher's memory, enabling families experiencing a similar loss to reach out and support each other. But Patrizia and Robert are not prepared to stop there. They are dedicated to genuine law reform in New South Wales to prevent further workplace deaths in the construction industry. They have added their voices to the call for industrial manslaughter laws and they are seeking the adoption of other specific measures to be enshrined as Christopher's Law. Industrial manslaughter will ensure that employers are held accountable for killing workers. It reflects a basic principle of our legal system: If your actions or inactions lead to the death of another human being you are personally accountable.

In an article published in last week's edition of *The Sun-Herald*, Minister Kevin Anderson was quoted as dismissing industrial manslaughter as, "Little more than a catchy title". The Minister is wrong. It is clear that the current law is not an adequate deterrent. It is only when there are real and serious consequences for having caused workplace deaths that we will see a genuine cultural change in the construction industry. Under the current regime, individual decision-makers are not effectively held accountable. They are often protected by indemnities and insurance from the consequences of their negligence. The truth is that decision-makers are unlikely to change their behaviour when they are not held responsible or accountable for workplace deaths. We must legislate to hold the builder or head contractor accountable for all onsite safety systems. This will ensure that they do not abrogate

their responsibilities as site managers. We must hold company directors and managers criminally responsible for killing workers so that we can ensure they are vigilant in maintaining safe systems of work.

Industrial manslaughter will provide a necessary deterrence for directors who are considering cutting corners on safety to bolster their profits. Some opponents of this proposal claim that the legislative reform alone is unlikely to result in change, suggesting that the likelihood of a successful conviction is so low that the idea of industrial manslaughter should be abandoned. However, evidence from Queensland indicates that successful prosecutions can be obtained. In May 2019 the managing director of a quarry in Central Queensland where a worker was crushed to death by a running conveyor belt was sentenced to 18 months in prison. Bad bosses know that this legislation is effective. That is why they have fought to prevent its implementation in the Queensland resource sector and more generally in New South Wales.

However, we also need a well-resourced and proactive enforcement agency. Industrial manslaughter legislation is not enough. It has to be accompanied by a change in the approach of the regulator. We must increase the capacity of SafeWork to actively enforce the law. We must also make sure that workers, employers and company directors are adequately trained about their rights and obligations. Labor has repeatedly called for the Government to address the shockingly low rate of prosecutions by the agency. The fact of the matter is that the enforcement agency has failed to discharge its responsibilities. The Government has a preference for a regulatory policy that places too much emphasis on education. Its light touch and reactive approach to enforcement relies too heavily on improvement notices and enforceable undertakings.

The Government has enabled a culture of non-compliance across the building industry, not only in workplace health and safety but also in building quality and engineering standards—as we have seen with the Opal and Mascot towers. This trend reflects the disproportionate influence of developers over the policy agenda of the Government. The construction industry makes an important contribution to the New South Wales economy, and it is imperative that we place it on a solid regulatory footing. The Government has promised to introduce changes to workplace health and safety laws before the end of the year. In preparing the legislation, it should heed the call of the Cassanitis and consider all available options, including the introduction of industrial manslaughter.

HORSERACING INDUSTRY

The Hon. EMMA HURST (22:16): It is the time of year when the \$9 billion racehorse industry comes to the forefront of public attention in the lead-up to the Melbourne Cup racing carnival. However, this year the Cup is getting some particularly bad press, both in Australia and internationally. Last month high-profile singer Taylor Swift pulled out of performing at the Melbourne Cup after she received significant backlash from fans who were concerned about the animal cruelty and abuse involved in the horseracing industry. Just last week a former Melbourne Cup winning trainer, Darren Weir, was charged with animal cruelty for using "jiggers"—a kind term that describes a form of taser used to deliver an electric shock to a horse to force them to run faster. Three other men were charged with animal cruelty, corruption and cocaine possession at the same time.

Those charges should come as no surprise. The horseracing industry, much like the greyhound racing industry, has been exposed time and time again as being an inherently cruel and corrupt business that prioritises profit above animals and ignores the serious harms associated with problem gambling. While the race that stops the nation only goes for a few short minutes each year, it is a sad reality that the cruelty of the horseracing business occurs all year around and means a lifetime of abuse for the horses who are unfortunate enough to be born into this industry.

Let me talk members through the life of a racehorse, starting from birth. Approximately 15,000 thoroughbred foals are bred each year in Australia. They sell for tens or even hundreds of thousands of dollars to the moneyed elite looking to back a winner. Eager to get a return on their investment, owners will often begin racing a horse as young as two years old—an age when the horse's skeletal system is not even fully formed. Racing a horse this young increases the already serious and well-proven physical and mental harm that is inflicted on them during their unrelenting training. To take just one horrifying physical symptom, the exertion that racehorses are put under causes them to bleed internally. A University of Melbourne study found that 90 per cent of racehorses had blood in their lungs and 50 per cent in their windpipes. A study of racehorses at Randwick racetrack further found that a shocking 89 per cent had stomach ulcers.

While they are being trained, most racehorses are housed alone in a small stable. Without social and environmental stimulation, they can develop stereotypic behaviours that reflect signs of serious mental distress. That does not even cover the harm that the public sees most commonly—the catastrophic injuries suffered frequently by those horses who actually survive and make it to the racetrack. In the past year, from 1 August 2018 to 31 July 2019, a total of 122 horses were killed on the racetrack in Australia largely due to injuries. That means one horse will die on Australian racetracks every three days. The State with the highest number of deaths, 51, was New South Wales—a statistic that should bring great sadness and shame to everyone in this State.

After a hard life of racing, physical exertion and isolation, what becomes of those horses? Far from retiring to greener paddocks, most older and failed racehorses are destined for slaughter—a cruel end to a life of suffering. How do we allow this practice to still go on? In a modern, progressive society, how can we allow such abject cruelty and suffering to be inflicted on innocent, intelligent and sentient animals all in the greedy pursuit of profit for the owner and industry, and all for a few moments of entertainment for the public that will be quickly forgotten? I urge everyone in this place to join me and thousands of other Australians this year in saying "Nup to the Cup".

ANTI-SEMITISM

The Hon. NATALIE WARD (22:21): It is with great regret that I bring to members' attention a very disturbing issue that shows the worst of humanity and which has ruined lives and taken lives. Unfortunately, it has shown its face in our country and across the world once again. Not for the first time—but I always pray it will be the last—the issue I am talking about tonight is anti-Semitism. As we approach the Jewish high holiday period and the community unites across the world for prayers, food and celebration—or in the case of Yom Kippur, mourning—so do we enter a period of heightened anti-Semitism, not just in Australia but everywhere.

Rather than comfortably attending their synagogue services or Jewish children going to school, the Jewish community is still haunted by hate. It is with great sadness that I observe this is nothing new. Specifically, this year some disturbing acts of hate—although I am sure there have been many more—are why I am talking about anti-Semitism. While I had other speeches I could have given tonight, I will not use my opportunity in this place to sit back and allow it to become routine. It is my moral obligation to draw everyone's attention to this, to call it out when it happens and, most of all, to do everything in my power to stop this dangerous culture of hatred from taking over our world again. It is with profound grief that I elucidate these incidents.

The first incident in our country occurred in Melbourne, right next door to us. A 12-year-old boy, still in school, was allegedly lured to a park by a classmate with the promise of kick-to-kick football. Visualise it: With a history of ongoing bullying and anti-Semitism towards him, he was hoping to play some football with a classmate. Picture your son, your cousin, your friend; picture yourself at 12 years old in that position. You walk to the park with that promise, with the expectation to play football. And, at 12 years old, you get ambushed and surrounded by nine other 12- and 13-year-olds. You are scared—no, you are terrified. Why? You are told that you must grovel at the feet of another child and kiss his shoes—either that or get beaten up. That is exactly what happened. Then those same kids film and photograph the incident and post it on social media for the world to see.

If that very thought does not make you sick, then knowing the young man will be haunted by this for the rest of his life should. How often will he relive the horror? How has his life been changed? Since this story was released the same boy has been receiving a series of threatening text messages, including death threats that he would be "slaughtered". Kids are not born with hate, but clearly more needs to be done to teach acceptance at an early age.

Yet another incident took place in Hawthorn. A five-year-old boy has been diagnosed with acute anxiety and is now home schooled following a vicious and ongoing campaign of abuse by classmates calling him "a dirty Jew", "Jewish vermin" and "a Jewish cockroach". A five-year-old. He was mocked so harshly in the school bathrooms for being circumcised to the point that he wet himself out of fear of going to the bathroom. A five-year-old. How is it that here in Australia, in Melbourne, in 2019 we are reading that five-year-olds are using sentiments that mirror the language used in the holocaust? I commend the Federal Treasurer, the Hon. Josh Frydenberg, for his call for Australians to be better educated about the holocaust.

Sadly, here in Sydney we have also had recent anti-Semitic incidents in the schoolyard. However, I note that this is an example of how a school can deal with a terrible situation appropriately. A recent incident entailed students at a leading Sydney school posting on Twitter, "Burn the Jews" and "Gas the Jews." The school then rightly contacted the NSW Jewish Board of Deputies, which met with the students concerned in the company of the school authorities. After a candid and constructive meeting the school suspended the students and had them do 30 hours of community service—15 hours within the Jewish community and 15 hours in the wider community. The NSW Jewish Board of Deputies subsequently received a letter from the mother of one of the students thanking the board for its handling of the issue. While anti-Semitism and hate will continue, we know there are appropriate ways to deal with it. I commend Mr Vic Alhadeff and the NSW Jewish Board of Deputies, but also the school and parents, for proactively dealing with this horrible situation.

COUNCILLOR BILL SARAVINOVSKI

PAUL REID

The Hon. MARK BUTTIGIEG (22:26): I draw the attention of the House to a changing of the guard at Bayside Council. Councillor Bill Saravinovski recently stepped down from his role as mayor and on

25 September 2019 Joe Awada was elected mayor. I congratulate the new mayor, Joe Awada. I am sure he will do a fantastic job. I also congratulate his deputy elect, James Macdonald. The new mayor has big shoes to fill. I have known Councillor Bill Saravinovski for approximately six years and during that time I have witnessed an extremely dedicated and hardworking Labor man. Councillor Saravinovski has always put the residents of Rockdale City Council, and now Bayside Council, first. He has shown that he genuinely cares about the people in his community. He has been a councillor in the Rockdale area for over 30 years and has served as mayor for many of those years.

Councillor Saravinovski led the newly amalgamated council of Bayside as the inaugural mayor for two years. Councillor Saravinovski has been so successful because he acts on Labor values and he is a man of his word. Residents in the Bayside area know very well that they can always count on him. Even during the difficult amalgamation period when councillors were sacked, residents knew they could rely on him as he continued to be an exemplary and dedicated advocate for his constituents. He has always listened to Labor Party branch members, who are the heart and soul of our great movement. Councillor Saravinovski has also been a very good friend and confidant of mine. He is reliable and trustworthy, and deserves recognition for his outstanding contribution, both as a Labor Party activist and as an exceptional mayor. I have no doubt that his contribution to the community as a councillor will be outstanding.

I also make a special mention of my great friend and colleague and United Services Union stalwart, Paul Reid, who recently was awarded the McKell Award by the New South Wales Australian Labor Party [ALP] for outstanding services to the party. Last week I was privileged to have been invited to be a guest at his table along with his partner and Canterbury councillor Clare Raffan, Senator Tony Sheldon, member for Coogee Ms Marjorie O'Neill, United Services Union General Secretary Graeme Kelly, Kellie Gale, member for Canterbury Sophie Cotsis, Bill Kritharas, Rachelle Harika and Saree Boutros.

The McKell Award is a prestigious and noteworthy award. Members must be nominated by several other ALP members and there was an overwhelming number of worthy nominations in this instance. Paul's nomination was supported by Graeme Kelly, the General Secretary of the United Services Union [USU], and Sophie Cotsis, the member for Canterbury and shadow Minister for Better Public Services. I could not imagine a more worthy recipient of the McKell Award. Paul is honest, loyal, a true believer and a tireless campaigner for the party. He is an example of the kind of person that the Labor Party should recognise and should be supporting and promoting for the roles that they play within the party.

He advances the party's collective values and he is involved for the right reasons: to progress the cause of working people, not for his own self-interest but for the good of the movement. Paul is a proud and dedicated member of the USU. He became an elected Municipal Employees Union delegate in 1984 prior to the unions merging and he has been a delegate to the union for over 18 years. Paul has been an ALP member for 36 years, first joining the Pyrmont-Ultimo branch. He founded the Belfield-Campsie North branch in 2017 and still serves as its branch secretary.

Paul has held the positions of branch president, branch secretary, State and Federal electoral council delegate, chair of organising, recruitment and training policy committee, member of building sustainable communities policy committee, USU delegate to ALP State conference and USU conference whip and proxy member of ALP administrative committee. Labor members of Parliament value Paul's abundance of knowledge and his indispensable insight into community issues. Paul has been tireless in his dedication to the union movement and the ALP. I am lucky to call Paul one of my great comrades in the movement and I am a better person for having known this great human being. I pay tribute to Paul Reid, recipient of the prestigious McKell Award, and thank him for his services to the Australian Labor Party.

PILL TESTING

Reverend the Hon. FRED NILE (22:31): Tonight I wish to speak about the recommendations of the New South Wales Coroner concerning the manner in which dangerous use of narcotics should be dealt with at music festivals and public parties. I believe that the recommendations from the Coroner, which have been reported on today in *The Daily Telegraph* by the paper's crime editor, Mark Mori, and are also the subject of an editorial on the same issue, are a very bad move in our fight against drug abuse in New South Wales. In particular, the report by the Coroner recommends that the use of police sniffer dogs and body searches should be scrapped, while drug users should be able to have their drugs tested. This represents yet another policy surrender to a blight which has ruined so many lives of our citizens, especially among our young people. The report was drafted in response to the recent deaths of six New South Wales young people at music festivals.

The Daily Telegraph quoted one government source correctly stating that, reading the terms of the report, "You might as well legalise drugs". I fear that that is no exaggeration. Any policy that effectively gives consent to the consumption of so-called "safe" narcotics is sending one message: that it is okay to use drugs and that the

only problem is the quality of the drugs. This is certainly not the message that any responsible authority should be sending to the community. While I understand and appreciate the intention of the Coroner, which is to minimise the risk of dangerous drugs at festivals, I believe testing will have the opposite effect in the long term.

Some dangerous drugs may certainly be filtered out, but such a system will only give a false impression of a safer drug culture in New South Wales. What is likely to occur in the long run is that the stigma will come off the use of illegal drugs and the pressure to reduce consumption rates will be removed. That will be great news to the supply side of our drug culture. Is that the kind of policy that we should be pursuing? Are they—the manufacturers of narcotics—the constituents that we should be doing favours for? Obviously the answer is no. I note that the police oppose the concept of pill testing as a solution to the drug abuse problem among the youth.

In November last year the Police Association congratulated this Government on investing in more police officers. That was one year after the association stated that more police numbers were needed to stop the spread of the drug ice throughout the State. I note also that the Government has indicated that pill testing will not form part of its policy to deal with drug-related crimes. That is certainly heartening. I mentioned that the Coroner's report was made in response to the deaths of six New South Wales young people. They were Alex Ross-King, who was 19, Joshua Tam, who was 22, Callum Brosnan, who was 21, Diana Nguyen, who was also 21, Joseph Pham, who was 23, and Nathan Tran, who was only 18. Let us remember the names of these young men and women.

Our duty should be to protect others like them from drugs at the source, not make the culture that gives rise to the spread and consumption of illegal drugs allegedly safe. Policies directed at making drug use safe ultimately protects the culture of drug taking, not the people taking those drugs, and this is the fundamental difference. The Coroner was reported as attending two music festivals as part of her personal research concerning how the police search for drugs. She was reported as saying that she was nervous because, "There were lines and lines of police and dogs". I do not know why she would be nervous. She added that she was surprised at how intense it was.

All it takes is a little common sense and one should be able to see the problem here. What we are witnessing is a drug culture and drug market that is extremely well developed and widespread. That is what accounts for the police presence. We are witnessing the near complete desensitisation to the use of dangerous drugs among youth. That is where public policy should be focusing. Instead we have a Coroner who recommends we effectively surrender to the status quo by simply changing the administrative response to a crisis from trying to fix it to simply accommodating it. If we did follow the recommendations there is no guarantee that the rate of drug consumption would fall. As I already mentioned, I believe there are strong grounds to think that it would in fact go up.

That would be an insult to the memory of the six young people I have named here today. They would still be with us if more was done to target the source of the problem—the suppliers and the fact that the buyers seem to think that it is okay. Government-funded campaigns have done great things in the past. We have managed to change the culture of drunk-driving. We have changed people's attitudes with respect to various health issues such as smoking. Why can we not apply these successful techniques to this issue as well? I sincerely hope that the Government is true in its renunciation of pill testing and does not follow the Coroner's well-meaning but very misguided and dangerous recommendations. [*Time expired.*]

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

Motion agreed to.

The House adjourned at 22:36 until Wednesday 16 October 2019 at 11:00.