



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Seventh Parliament
First Session**

Thursday, 14 November 2019

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Thursday, 14 November 2019

The PRESIDENT (The Hon. John George Ajaka) took the chair at 10:00.

The Hon. Tara Moriarty read the prayers.

Motions

HELLENIC NATIONAL DAY

The Hon. MARK BUTTIGIEG (10:01:01): I move:

1. That this House notes that:
 - (a) on Sunday 27 October 2019 a celebration of Hellenic National Day took place at the Anzac Memorial in Hyde Park, Sydney;
 - (b) the Australian Hellenic Educational Progressive Association NSW [AHEPA] organised a moving tribute to honour Greeks and the second generation Anzacs who bravely fought Nazi Germany;
 - (c) the event at the Anzac Memorial commemorated the seventy-ninth anniversary of the day when the people of Greece said Oxi (No) to fascism and Nazism on 28 October 1940;
 - (d) Australia's ties to the day were commemorated and the gallantry of Anzacs who served with distinction during the Greek Campaign in World War II was recognised; and
 - (e) the commemoration included performances from the Australian Hellenic Choir and the laying of wreaths in the memorial to honour those brave Australians and Greek heroes who courageously fought for democracy and freedom.
2. That this House acknowledges and congratulates AHEPA and its secretary, Dr Panayiotis Diamadis, for organising such a special gathering to pay homage to Hellenic National Day.

Motion agreed to.

Documents

TRANSPORT ASBESTOS REGISTERS

Production of Documents: Order

The Hon. MARK BUTTIGIEG (10:02:19): I move:

1. That this House notes that:
 - (a) a series of questions (0504) asked by the Hon. Peter Primrose, MLC, concerning Sydney Trains and asbestos through budget estimates were not directly answered, receiving only the following response: "Sydney Trains takes its obligations regarding the management of asbestos very seriously. Sydney Trains complies with all its statutory obligations in relation to the management of asbestos, including those under the Work Health and Safety Act"; and
 - (b) inadequate answers to questions is a growing concern which is undermining the ability of this House to hold the Government to account, especially in relation to the Transport cluster.
2. That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of the passing of this resolution the following documents in the possession, custody or control of the Department of Transport or the Minister for Transport and Roads:
 - (a) all asbestos registers held by Sydney Trains, NSW Trains, State Transit, Sydney Metro and RailCorp;
 - (b) all legislative compliance registers held by Sydney Trains, NSW Trains, State Transit, Sydney Metro and RailCorp;
 - (c) the health monitoring records for exposure to asbestos for Sydney Trains employees;
 - (d) the health monitoring records from 1 January 2012 for all Transport cluster employees exposed to asbestos;
 - (e) all current asbestos management plans held by Sydney Trains, NSW Trains, State Transit, Sydney Metro or RailCorp;
 - (f) any review of an asbestos management plan conducted by Sydney Trains, NSW Trains, State Transit, Sydney Metro or RailCorp since 1 January 2012;
 - (g) all correspondence, reports and briefings, created since 1 January 2018, relating to any asbestos register or legislative compliance register within the Transport cluster; and

- (h) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.
3. That documents returned to this order be redacted to remove any identifying personal health details.

Motion agreed to.

MONASH UNIVERSITY ROAD SAFETY DOCUMENTS

Production of Documents: Order

The Hon. JOHN GRAHAM (10:02:57): I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of the passing of this resolution the following documents created since 1 January 2019 in the possession, custody or control of the Minister for Transport and Roads and the Department of Transport:

- (a) all documents including reports, correspondence and briefings prepared by Monash University in relation to road safety; and
- (b) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

Motion agreed to.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. ADAM SEARLE: I move:

That business of the House notice of motion No. 1 relating to the sitting calendar for 2020 be postponed until the next sitting day.

Motion agreed to.

Documents

MINISTERIAL CODE OF CONDUCT

Dispute of Claim of Privilege

The PRESIDENT: I report to the House that on 13 November 2019 the Clerk received from the Hon. Adam Searle correspondence disputing the validity of a claim of privilege on documents lodged with the Clerk on Tuesday 12 November 2019 relating to the Premier's ruling in relation to disclosures under the Ministerial Code of Conduct. Pursuant to standing orders, a retired Supreme Court judge, the Hon. Keith Mason, AC, QC, was appointed as an Independent Legal Arbiter 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, AC, QC, for evaluation and report.

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: ORDER OF BUSINESS

The Hon. NATASHA MACLAREN-JONES: I move:

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

Motion agreed to.

ORDER OF BUSINESS

The Hon. NATASHA MACLAREN-JONES (10:13:14): I move:

That the order of private members' business be as follows:

1. Item No. 363 outside the order of precedence standing in the name of Mr Veitch relating to an order for papers concerning the Western Harbour Tunnel and Beaches Link business cases.
2. Item No. 279 outside the order of precedence standing in the name of Mr Franklin relating to the centenary of the National Party of Australia – NSW.
3. Item No. 358 outside the order of precedence standing in the name of Mr Shoebridge relating to the climate emergency and bushfires.
4. Item No. 347 outside the order of precedence standing in the name of Ms Hurst relating to animal fur clothing.
5. Item No. 254 outside the order of precedence standing in the name of Ms Faehrmann relating to the Pill Testing Bill.

6. Item No. 351 outside the order of precedence standing in the name of Mrs Houssos relating to an order for papers concerning Mascot Towers documents prepared by the NSW Building Commissioner.
7. Item No. 355 outside the order of precedence standing in the name of Mr Borsak relating to an order for papers concerning police documents requested in budget estimates.
8. Item No. 365 outside the order of precedence standing in the name of Mrs Houssos relating to an order for papers concerning the Cooler Classrooms Program.
9. Item No. 344 outside the order of precedence standing in the name of Ms Boyd relating to bus privatisation.
10. Item No. 1 in the order of precedence standing in the name of Mr Searle relating to the Industrial Relations Amendment (Contracts of Carriage) Bill 2019.
11. Item No. 2 in the order of precedence standing in the name of Mr Banasiak relating to the Fishing Legislation Amendment (Right to Fish) Bill.
12. Item No. 290 outside the order of precedence standing in the name of Mrs Maclaren-Jones relating to the seventy-fifth anniversary of the Liberal Party of Australia.
13. Item No. 349 outside the order of precedence standing in the name of Mr Buttigieg relating to bus privatisation.
14. Item No. 336 outside the order of precedence standing in the name of Mr Searle relating to Hansard and other operations.
15. Item No. 360 outside the order of precedence standing in the name of Mr Shoebridge relating to an order for papers concerning the accumulated fund balance of public schools.
16. Item No. 353 outside the order of precedence standing in the name of Mr Buttigieg relating to Sydney Airport working conditions.
17. Item No. 139 outside the order of precedence standing in the name of Reverend Mr Nile relating to the Crimes Amendment (Zoe's Law) Bill 2019.
18. Item No. 288 outside the order of precedence standing in the name of Mr Moselmane relating to privatisation of public assets.
19. Item No. 364 outside the order of precedence standing in the name of Mr Field relating to an order for papers concerning the Barwon Darling water sharing plan review.

I indicate that it has been agreed that private members' business items at paragraphs 1, 3, 4, 6 to 9, 13 to 16 and 18 and 19 will be considered in the new short form format.

The Hon. ADAM SEARLE (10:16:36): I move:

That the motion be amended by inserting after paragraph 19:

20. Item No. 362 outside the order of precedence standing in the name Mr Searle relating to the tabling of privileged documents—disclosures of Minister Sidoti under the Ministerial Code of Conduct.

The PRESIDENT: Private members' business item No. 362 outside the order of precedence was the first item of formal business that was objected to today.

The Hon. ADAM SEARLE: I understand that the House is under no obligation to accept the outcome of the Independent Legal Arbitrator's report but it has been a fairly consistent practice of this House to do so. This dispute has gone through the usual process. There has been an evaluation by the Independent Legal Arbitrator, who found that there was no relevant privilege to be upheld. That comes in the context of not only this matter but also that of further ministerial rulings where, without any explanation to the Clerk or this House, the Executive was nearly two weeks late in producing the other rulings.

I understand that the purpose of that was to await the outcome of the ruling on the Sidoti matter. That is a matter that the Government had ample time to communicate to this House, to the Opposition and to the officials of this Chamber, but chose not to. Indeed, the Executive thumbed its nose at the resolution of this House. It was only the production of those documents on Tuesday that led to a censure not being moved against the Minister for failure to comply with the order of the House in the time frame specified. I understand that in relation to this matter the Government has apparently not had time to talk to its own senior legal officials in the Department of Premier and Cabinet, which I find extraordinary. Nevertheless—

The Hon. Don Harwin: That is not what I said.

The Hon. ADAM SEARLE: You will have the right to speak. I understand that the Minister wishes to have a little bit more time to consider this matter until Tuesday. If the Government is for some reason struggling to comply with an order of this House, it would behove the Leader of the Government, or the Government generally, to talk to officials of the House, rather than not comply with this House's orders in relation to various matters. I hope the Government takes this matter very seriously. In the interests of amity, I formally withdraw my amendment but I put these matters clearly on record.

Amendment withdrawn.

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) (10:20:56): As the honourable member has withdrawn his amendment, I cannot respond to any of the things he has just said, a number of which were a misrepresentation. Nevertheless, I seek to speak to the motion.

The PRESIDENT: You can do that.

The Hon. DON HARWIN: I support the motion moved by the Government Whip and I will say a couple of things in response to the Hon. Adam Searle's comments. Firstly, to say that the Government did not communicate is false, which is obvious and clear from the tabling of the letter that was sent by the general counsel to the Clerk. So, in fact, the Government did communicate to the House. Secondly, to say that my reason for the request that I made across the table to the Leader of the Opposition was because I had not "had time" to speak to the Department of Premier and Cabinet [DPC] legal unit is completely false and not what I said to him. I said that the Government's legal advisers wanted further time to consider the adjudication that Joe Campbell made before we decide whether we will vote to support either the lifting of privilege or vote against the lifting of privilege. We are entitled to do that.

To be fair to the Leader of the Opposition, as he said, there is no obligation on the House to accept the adjudication of the legal arbiter and there have been occasions in this House where parties have chosen to vote against accepting the adjudicator's response or have amended the adjudicator's response. All I asked him for was more time for DPC to consider this important matter and there are strong public policy reasons why the Government has taken the stance to consider it further. On Tuesday we will have a response and we can deal with the matter then. It may well be that it is dealt with by way of formal business, if, after considering the advice that we are given, we are satisfied with the position that Mr Campbell has taken.

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

Motion agreed to.

Documents

WESTERN HARBOUR TUNNEL AND BEACHES LINK

Production of Documents: Order

The Hon. MICK VEITCH: I move:

That private members' business item No. 363 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. MICK VEITCH (10:24:48): I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents in the possession, custody or control of the Treasurer, the Treasury, the Minister for Transport and Roads, the Department of Premier and Cabinet, Infrastructure NSW or the Department of Transport:

- (a) the final business case for the proposed Western Harbour Tunnel and Beaches Link;
- (b) the strategic business case for the proposed Western Harbour Tunnel and Beaches Link; and
- (c) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

I have the suspicion that this matter will be dealt with in an expeditious and professional manner by the House. Therefore, I will not dwell too long upon this item and commend the motion to the House.

Ms ABIGAIL BOYD (10:25:50): The Greens support the Opposition's motion. As with so many of this Government's transport projects there is a lack of transparency and, thus, accountability. The more information, the better. I wish we did not have to do it this way, but it seems that this is the only way to get the information we need.

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

Motion agreed to.

Motions

NATIONAL PARTY OF AUSTRALIA – NSW CENTENARY

The Hon. BEN FRANKLIN (10:27:04): I move:

1. That this House notes that:
 - (a) the National Party of Australia – New South Wales celebrated its centenary on Sunday 13 October 2019;
 - (b) the centenary marks 100 years of hard work for rural and regional New South Wales;
 - (c) the NSW National Party is the second oldest political party in New South Wales, and has the largest membership across regional New South Wales of any political party;
 - (d) the party formed as the Progressive Party of New South Wales on October 13, 1919, and was renamed the Country Party in 1925, the National Country Party in 1977 and finally the National Party in 1982;
 - (e) in 1927 the Nationals formed a Coalition with the Liberal Party, with New South Wales the only State where the Coalition has never been broken;
 - (f) the NSW Nationals have produced nine Federal leaders and five Federal Presidents, and have never been unrepresented in the Federal or New South Wales Parliaments; and
 - (g) the party continues to fight for the rural and regional areas who are suffering from one of the worst droughts in history.
2. That this House recognises all those who have contributed to the strength, unity and success of the party for the past 100 years.

It gives me enormous pride to move this motion honouring the centenary of the NSW Nationals, a party forged from the land, inspired by community service and driven by a philosophy of achieving regional equity. Founded at a meeting in Sydney on 13 October 1919, the National Party has flourished ever since as the second oldest political party in New South Wales. It has the largest membership across regional New South Wales of any political party and has never been unrepresented in the Commonwealth or New South Wales parliaments. That is an extraordinary achievement. In a time of worldwide turbulence, it is worth reflecting on the consistency and strength that can be delivered if an organisation is willing to stridently adhere to its founding sentiments but adapt its structure to the needs of the time. I am proud to say that the National Party is the most stable, non-factionalised political organisation in Australia.

Across all its constituent parts, from the thousands of members in its geographically disparate branches, to its most senior parliamentarians and organisational leaders, The Nationals have one primary objective: To close the gap in the provision of infrastructure, services and opportunities available to people, businesses and communities in the regions compared to those available in the city. Our strength comes now, as it always has, largely from the grassroots—from the incredible commitment of our members serving at the coalface of their communities. They are decent, hardworking people who share the same goal of supporting, promoting and advocating for the regions of this State.

Formed as the Progressive Party of New South Wales on 13 October 1919, renamed the Australian Country Party in 1925, the National Country Party in 1977 and, finally, the National Party in 1982, the objective of the party has never wavered. While originally formed by the New South Wales Farmers' and Settlers' Association and the Graziers' Association of NSW, the party has always been more than a "farmers" party. Despite being political champions of sustained agricultural production and exports for its entire history, the party's priorities are clearly defined as working in the interests of the community as a whole and for national progress and development.

The party has a significant record of electoral success, having never been unrepresented in the New South Wales Parliament since its formation 100 years ago or in the Commonwealth Parliament since the formation of the Australian Country Party on 22 January 1920. To date, the party has contested 806 Legislative Assembly seats and won 514. It has also contested 380 New South Wales House of Representatives seats and won 269. That makes a success rate of more than 63 per cent and 70 per cent respectively in each Parliament. But of course electoral success in and of itself means nothing unless good legislative outcomes are achieved and unless that electoral muscle is used to genuinely deliver for the regions we serve. I am proud to say that the National Party has achieved truly significant outcomes for regional people.

I could speak for hours on the historical achievements of the party and its predecessors, but unfortunately debate time limits prevent me from doing so. But let me provide a few highlights for the edification of members. It was the National Party that abolished stamp duty on intergenerational farm transfers. It was the National Party that established the State's first Department of Regional Development and decentralised the Department of Agriculture from Sydney to Orange. It was the National Party that helped to pioneer the concept of State aid for independent schools and it was the National Party that established Australia's first regional university—the University of New England—in 1954. That record of achievement continues to this day. The National Party has fought to ensure that 65 per cent of record spending on New South Wales roads was directed to the regions between 2011 to 2017.

We have created the \$1.3 billion Regional Growth Fund to inject serious money into thousands of deserving organisations and facilities throughout the State, and we have quarantined every single cent of the \$4.2 billion proceeds from the sale of the State's share in Snowy Hydro to the Commonwealth to be dedicated to regional New South Wales infrastructure and development. The work of the National Party, in coalition with the Liberal Party, has secured \$2 billion in vital drought assistance as our regions and farmers face one of the worst droughts on record. As our farmers face failing crops, water shortages and a diminishing supply of fodder to sustain stock, combined with the recent threat of hellish fires, we must all rally together. Leader of the New South Wales Nationals, John Barilaro, the *Daily Telegraph* on 24 October stated:

This drought has moved beyond the farm gate. It's now threatening the very existence of our communities. Like a cancer, it doesn't discriminate against any one, any region, any industry and it will leave a deep lasting scar.

The Deputy Premier summed it up perfectly. This drought is wreaking devastation across the length and breadth of this State. That is why The Nationals will stand with drought-affected communities each and every day and that is why the \$2 billion in support is so vital for the regions. This is on top of a range of other support for the regions, including \$900 million allocated for redevelopment or upgrades at 16 regional hospitals and \$400 million to increase regional mobile phone coverage and internet connectivity.

And this is on top of our century-long commitment to supporting one of the most important issues for regional people—roads and road safety. I am proud to say that our focus in this area has always been absolute. It was The Nationals that developed the State trunk and main roads classifications between 1927 and 1930, that established the Road Safety Council in 1936 and that set a maximum speed limit of 30 miles per hour in built-up areas in 1937. It was the National Party which pushed to introduce the 3x3 road levy, a 3¢ per litre fuel tax, which raised over \$600 million in three years and returned 60 per cent of that amount to regional road upgrades. It was the National Party that for decades agitated fearlessly to completely duplicate the most important road linkage in the nation—the Pacific Highway. After years of construction, the end is finally in sight.

Since the start of the upgrade in 1996, fatal crashes have been reduced by half and future upgrades are forecast to reduce the number of fatal and casualty crashes on the highway even further. Since 2011 this Government has spent \$5.7 billion on upgrades to the highway, with the completion of 10 major projects. These major projects include the Ballina bypass, Banora Point, Tintenbar to Ewingsdale, Nambucca Heads to Urunga, the Kempsey bypass and Sancrox interchange. This commitment has not only seen travel times significantly improve; but, more importantly, this substantial investment in the Pacific Highway has saved and will continue to save countless lives. There is literally no issue of greater importance to any government than that.

It is clear that The Nationals have batted above our numerical weight and achieved real and lasting outcomes for our communities since our inception. We pride ourselves on independence and have continuously rejected advances to amalgamate with our strong Coalition partners over the years. I believe this fierce independence has forced all other political parties to pay greater attention to the needs of regional New South Wales, which is a good thing for everyone who lives and works in a regional centre. The Nationals play a vital, stabilising and supportive role in ensuring that government policy is not dominated by city interests and city-based politicians. But we are also realists, and that is why in 1927 the party formed a Coalition with the Liberal Party—an incredibly successful partnership—with New South Wales the only State where the Coalition has never been broken.

Earlier I made reference to the fact that our membership is our lifeblood. I am particularly proud that since its formative years the party has encouraged the involvement of women and young people, several of whom have gone on to hold very significant positions. For example, the inimitable Jenny Gardiner became the first female executive officer of a political organisation in the State when she became General Secretary of the National Party in 1984. Another party icon, Helen Dickie, was the party's first female State chairman, from 1997 to 2002, and the New South Wales party's first woman Federal president. While the party does not support a quota system for women's representation in Parliament, increased participation by women at all levels is actively fostered and supported. I am proud to say that our female parliamentary strength is increasing year by year.

Recently the NSW Nationals have elected two very impressive women to the State and Federal parliaments in member for Cootamundra, Steph Cooke, and New South Wales Senator Perin Davey. Alongside powerhouses like Bronnie Taylor, Leslie Williams, Kay Hull, Wendy Machin and Christine Ferguson, those two women will ensure that that trend continues into the future. The party also ensures the voice of regional youth is being heard loud and clear. Members of the Young Nationals come from all parts of the State and have very diverse backgrounds, yet they share one thing in common—a passion for regional Australia. That passion has been strong and unwavering since the organisation was created in 1965 under inaugural chairman and former member of the Legislative Council Rick Bull, and it continues to this day under the leadership of Jock Sowter.

The Young Nationals are the only movement solely dedicated to advocating for youth in our regional areas. It is an active network that offers members the opportunity to engage in both political and social events and educates them about government and politics. Many members of the Young Nationals who have gone on to local, State and Federal levels of government had their grassroots in that organisation. Three members of the New South Wales Young Country Party have become Deputy Prime Ministers of Australia: Tim Fischer, John Anderson and Mark Vaile. I could not mention the Young Nationals without acknowledging the groundbreaking Leader of the National Party in this place, education Minister Sarah Mitchell, who served as State and Federal chairman and was preselected and elected while still a proud Young National.

Today the party continues to stand as a passionate and united organisation. Our independence, tradition, strength and commitment to our regions has never been stronger. Our party's Federal leader and Deputy Prime Minister, Michael McCormack, is a proud son of regional New South Wales and a fierce defender and supporter of those millions of Australians who live outside the capital cities and who rely on a strong National Party to be heard. The party's State leader and Deputy Premier, John Barilaro, fights for the regions each and every day, with a passion and intensity that is unrivalled across the Parliament. And the men and women who carry The Nationals banner alongside them do the same thing—always focusing on creating local jobs, supporting local organisations and standing up for local families.

This is a milestone that deserves celebration. But 100 years of achievement does not just happen. It is the result of the tireless dedication and zeal of parliamentary leaders like Michael Bruxner, Earle Page, Charles Cutler, Doug Anthony and Wal Murray; of State chairmen like John Fuller, Adrian Solomons, Doug Moppett, Duncan Gay, Niall Blair, Bede Burke and current chair Andrew Fraser; of general secretaries like John Dredge, Colonel Bill Ford, Paul Davey, Michael Priebe, Nathan Quigley and current director Ross Cadell; and of the thousands of others—members of Parliament, party members and supporters alike—who have stood up with pride and said without apology that they will defend our regional communities with vigour, strength and all the energy that they can muster.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): Order! Members will cease conversing across the Chamber. The Hon. Walt Secord will have an opportunity to contribute to the debate. Members will be directed not to interject while he is speaking. I ask him to extend the same courtesy to the Hon. Ben Franklin.

The Hon. BEN FRANKLIN: In the interests of ensuring the Hon. Walt Secord did not miss any of what I said, I will repeat the most recent couple of paragraphs. Thousands of others—MPs, members and supporters alike—have all stood up with pride and said without apology that they will defend our regional communities with vigour and strength and all the energy they can muster. Although I have only named a few, they are representative of so many. I thank all those who have contributed to the strength, unity and success of the National Party for the past 100 years, and I know the next 100 will be even more successful. I commend the motion to the House.

The Hon. WALT SECORD (10:40:33): In my capacity as the shadow Special Minister of State and shadow Treasurer, I lead for the Labor Opposition in speaking to the motion moved by the Parliamentary Secretary for Energy and the Arts, the Hon. Ben Franklin, on the centenary and one month and two days birthday of the National Party. I will be brief because there are so many other pressing issues before this House that we should be addressing for rural and regional communities, such as the water crisis in rural and regional areas; bushfires; the worst drought in a century, coming on the heels of the worst drought last century; a stalling economy, with economic storm clouds gathering over the horizon after nine years of the O'Farrell, Baird and Berejiklian governments; more than half of the 84,000 patients waiting for elective surgery—

The Hon. Sarah Mitchell: Point of order: While the Hon. Walt Secord takes the opportunity to list things, this motion is clearly about the centenary of the National Party. He is not being relevant to the motion before the House.

The Hon. WALT SECORD: To the point of order: I only interjected once during the speech by the Hon. Ben Franklin. I allowed him wide latitude. I am talking about rural and regional issues. If the National Party is not a rural and regional party, then I will agree with the point of order.

The Hon. Catherine Cusack: To the point of order: A point of order is not an interjection. It is the right of every member in this Chamber to ask that the member's address be relevant to the motion at hand. The Hon. Walt Secord clearly has an agenda for how he wishes to approach this motion, but members are entitled to ask that he be relevant to the motion.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): I note the comments of the Hon. Catherine Cusack. In ruling on the point of order, I remind members that there is wide latitude in debates

such as this. The Hon. Walt Secord has just commenced his contribution. I will give him the opportunity to continue.

The Hon. WALT SECORD: I concede that was quite a list of problems facing rural and regional communities, who are bearing the heaviest burden. One would think National Party members would come into this Chamber and set out an agenda that focuses on those issues affecting rural and regional areas. Perhaps they could talk about how communities are facing harrowing, unprecedented bushfires and droughts or perhaps they might focus on a drought package. Perhaps they might give assistance to rural and regional communities. Perhaps they could suggest payroll tax benefits for rural and regional communities or securing a stable water supply. Instead, the self-styled party of the bush is spending time in this Chamber congratulating itself after the State has been devastated by bushfires. It was the Animal Justice Party that moved a motion about the bushfires, not the National Party. It was the Animal Justice Party that stood up for rural and regional communities.

The Hon. Shayne Mallard: Point of order: The House adopted the program for today and topics were adopted by the House. The Hon. Walt Secord is quibbling with the decision of the House in respect of its program for today.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): I hear the Hon. Shayne Mallard but there is no point of order. The motion is about the National Party of Australia. The Hon. Walt Secord is speaking generally about the National Party of Australia, as he is entitled to do.

The Hon. WALT SECORD: I like a birthday as much as the next person—that is to the motion—but sometimes we need to pick our moments and today we would be better off looking after rural and regional communities rather than congratulating the National Party. The Nationals should be talking instead about water theft.

The Hon. Catherine Cusack: Point of order: The Hon. Walt Secord is blatantly cavilling with the decision that was made by the House. He is arguing about the program that the House agreed to for today. The member is not addressing the motion before the House.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): I have heard enough on the point of order. The Hon. Catherine Cusack is debating the general role of the House. There is a particular motion before us. The Hon. Walt Secord is speaking to the motion before the House.

The Hon. Mark Latham: Point of order: Some time ago the Hon. Walt Secord promised us the new Walt and spoke about a gentler, kinder Parliament. Some of us did think at that stage he had been kidnapped by Martians, but the old Walt is back.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): What is the member's point of order?

The Hon. Mark Latham: My point of order is I would expect that, in the lasting traditions of a Westminster Parliament, it would be churlish indeed to turn a motion like this into a fierce party political debate. A party that has survived—despite all its faults and challenges—for 100 years, does deserve some element of celebration. It would be wise for the Chair to call upon the Hon. Walt Secord to adopt a more magnanimous approach.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): There is no point of order. The Hon. Mark Latham is speaking to the motion. I ask the Hon. Walt Secord to address the substance of the motion before the House.

The Hon. WALT SECORD: Turning to the motion, I must acknowledge the great heritage of the National Party. True, it is the second oldest political party in Australia, after the Australian Labor Party. What great figures it once offered: leaders like Black Jack McEwen, the late Tim Fischer, Earl Page, Ian Sinclair, Wal Murray, Ian Causley, Ian Armstrong, George Souris, Ron Boswell and Jenny Gardiner.

The Hon. Mark Latham: Barnaby Joyce.

The Hon. WALT SECORD: Not on that list. Those are mighty men and women who used to stride the national stage, representing a once-great party. Those were leaders who had come from the land, from what was once a grassroots party of farmers and graziers. But 100 years from its rural foundation, the National Party is a mere shell of itself. Today it is a party of pet groomers, hairdressers, privatisers and water thieves. It is a party of Justin Trudeau fans, almond-milk drinkers, barbershop magazine editors, telemarketers and poo joggers.

The Hon. Sarah Mitchell: Point of order—

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): Members will remain silent.

The Hon. Sarah Mitchell: I do not even know where to begin. All I can say is I do not think the Hon. Walt Secord is being relevant to the motion. He is casting aspersions on all members of the National Party who are in this Chamber with the words he is using. He is using unparliamentary language—particularly with his last comment.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): I ask the Hon. Walt Secord not to stray too far from the motion before the Chamber.

The Hon. WALT SECORD: I recited that list as a way indicating that the National Party is now led by personalities such as the Hon. Wes Fang and the Hon. Ben Franklin; Deputy Premier John Barilaro; Jock Souter, profiled on ABC Radio's Background Briefing as being involved in the Neo-Nazi movement; and Barnaby Joyce, a man who humiliated himself by speculating publically on the voting intentions of dead bushfire victims. That was truly offensive. There is the member for Tamworth, Kevin Anderson; member for Clarence, Chris Gulaptis; member for Northern Tablelands, Adam Marshall; and who could forget the Hon. Trevor Khan—a former member of the eastern suburbs branch of the Australian Labor Party who now attacks the Labor Party, Animal Justice Party and The Greens on the far left?

The Hon. Sarah Mitchell: Point of order: In his contribution the Hon. Walt Secord is now clearly reflecting on a member of this House. This is not the forum in which to do that. He should do so by way of substantive motion.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): I agree with the Minister. The Hon. Walt Secord will not reflect on other members. He may do so only by way of substantive motion.

The Hon. WALT SECORD: Thankfully, more senior members of The Nationals such as the Hon. Duncan Gay are still with us. It is just as well, because he would be spinning in his grave if he saw what the National Party had sunk to. Once we were able to trust the National Party to find their way around a feedlot, but the only troughs they encounter now are swimming pools in five-star hotels. I congratulate the Parliamentary Secretary on bringing this matter to the House. He is a man of considerable wit and hidden talent who shows himself to be a man of great satire and irony; a man whose tongue was firmly planted in his cheek when he moved this motion celebrating the National Party.

The Hon. Natalie Ward: Point of order: The Hon. Walt Secord is clearly reflecting on a member of this Chamber—and doing so knowingly and willingly. I ask you to call him to order and direct him to withdraw his comments in relation to the mover of this motion, the Hon. Ben Franklin.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): I uphold the point of order. I ask the Hon. Walt Secord not to reflect on other members, even though he has not traversed that line completely as yet.

The Hon. Ben Franklin: Point of order: The first part of my point of order is being reflected right now. It is a tradition in this place that the member with the call will sit when a point of order is taken. Secondly, when the President or the Deputy President makes a ruling every other member in this place resumes their seat. On every occasion that you have made a ruling, the no-longer Deputy Leader of the Opposition, the Hon. Walt Secord, has remained standing. I find this utterly disrespectful to you and to this place.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): I agree with the Hon. Ben Franklin on both counts. I ask whoever is addressing the Chamber to resume their seat when a point of order is taken or when the Chair is speaking.

The Hon. WALT SECORD: The member should shine a light on how The Nationals lost Lismore to Labor, and how they lost Barwon, Orange and Murray to the Hon. Robert Borsak and The Shooters, Fishers and Farmers Party. On a final note, I move:

That the motion be amended by omitting all words after "That" and inserting instead "this House notes that the once great National Party is now a mere shadow of itself."

I thank the House for its consideration.

The Hon. MARK LATHAM (10:53:19): This is not the debate that many of us were expecting. It is fair to say that if a political party reaches 100 years, it does have something to celebrate. The latest iteration of the New South Wales One Nation party only has 99 years to go. We will be looking forward to those celebrations as well. One hundred years in the life of our democracy is something of an achievement. As a relatively new member, I know there are members of The Nationals in this Parliament who do good work and One Nation has struck up a good working relationship with them. One of them is at the table, the Minister for Education and Early Childhood Learning. She is making good advances on school policy. The Hon. Bronnie Taylor is very genuine in her work on mental health. In the other Chamber, the Hon. Kevin Anderson is doing good work on greyhounds; the

Hon. Melinda Pavey, on public housing reform in western Sydney; and the Hon. Adam Marshall, on a whole range of issues. From a One Nation perspective, we very much value that group—probably a little more than the wet, or progressive, division of the Liberal Party.

The Nats have something to celebrate and that should be acknowledged by the House. The only thing I got from the contribution of the Hon. Walt Secord—having broken his promise of a kinder, gentler Parliament—was to find that at long last I have something in common with the Hon. Trevor Khan: We are both former members of the Labor Party. Bill Hughes once said that if you are going to leave the Labor Party, it is a bridge too far to join the Country Party. I have observed that—kind of—but the Hon. Trevor Khan has not. The House should at least note that the National Party did one good thing by changing its name from the Country Party. As Gough Whitlam found out in the House of Representatives, it is a name that when combined with other words lends itself to some awkward rhetorical moments. So that should be celebrated.

One Nation joins in the celebration of a party that has lasted 100 years in the life of our democracy. For all the disagreements, the ins and outs, the wins the losses and everything in between, it is fair to say that a party that reaches that duration has something worth noting in this Chamber. It is worth acknowledging in a generous, magnanimous sense rather than turning this into some ding-dong battle where, out of the style of this fairly genteel place, we are going to get into some fierce party politics. Having recommended the work of those decent, capable National Party Ministers, I respectfully submit that the challenge for the National Party is to turn the very fine theory of "Barilaroism" into practice. We support the agenda of the Deputy Premier on nuclear power, water policy, ripping up the Murray-Darling Basin Plan and dealing with the fuel on the floor of national parks. All the practical things the Deputy Premier puts forward need to be turned into practice.

The challenge for the National Party going forward over the next 100 years is to turn those theories that are articulated with a lot of bravado in the media into things that actually work and are of lasting benefit for country people. That is what One Nation tries to do—not just talk the talk, but walk the walk. I look forward to National Party members trying to do that over the next 100 years. I congratulate the Hon. Ben Franklin on his speech. I note his country credentials. So much of his speech sounded so lyrical and poetic. How appropriate that a great-great nephew of Banjo Paterson would move this motion in such a fine way. I hope that the debate will proceed along those lines for the next half hour or so.

The Hon. SAM FARRAWAY (10:57:09): I recognise the meaningful contribution of my colleague the Hon. Ben Franklin. From humble beginnings—an agreed Progressive Party platform at the Farmer's and Settlers' Association of New South Wales conference floor in 1915 to our latest centenary celebration at the Sydney Cricket Ground last month—The Nats have stood the test of time. In 1920 the then-named Progressive Party ran its first full State election campaign, costing equal to \$9,000 in today's money. Combined with the \$11,558 spent on the Federal campaign, those efforts left the party \$1,600 in the red and secretary H. P. Williams questioning whether he should have spent \$42 on an advertisement in one of the morning dailies. If only the ads and campaigns were still priced at those rates today.

In the 1920 election the Progressive Party ran 52 candidates in 48 of the 90 seats in the Legislative Assembly, winning 15. As of 2019, the New South Wales National Party has contested 806 Legislative Assembly seats and won 514. That is a success rate of more than 63 per cent, as my honourable colleague mentioned earlier. It is quite an improvement on our first attempt. Despite predictions from day one that this party would fail, it has never stopped representing the people of regional New South Wales in both the State or the Federal parliaments. From the Progressive Party to the Country Party to the United Country Party and the Australian Country Party NSW, it was not until an annual conference in 1982 that we became the National Party of Australia – NSW.

The New South Wales Nationals, no matter our name, has always been more than a farmers' party. From the first meetings to today, we stand by our regional communities as a whole. Whilst we have supported the development of our agricultural and resource industries, we have done so in ways that benefit broader community interests such as education, health, transport, telecommunications, Aboriginal affairs, the environment and jobs.

In order to ensure we can represent various sections of our communities, The Nats have also encouraged women and young people to have their say within the party. In 1923 Jean Page founded the Women's Country Party, now called the Women's Council, and today our female membership is at 48 per cent. We have the Hon. Sarah Mitchell, the Hon. Melinda Pavey, the Hon. Bronnie Taylor, the Hon. Leslie Williams and Steph Cooke representing their communities and the State as Ministers and as local members.

The Young Nationals was established as the Young Australian Country Party in 1965. I think we can all say that the youth wings of our respected parties are vital in any election campaign and can bring a fresh view to any policy debate on a conference floor. The Young Nats is so much more than a group of kids from the bush. It is a group of passionate individuals from different backgrounds with different opinions coming together to help the senior members of the party shape policy that matters to them. The New South Wales Young Nats has enabled

many talented youth from regional communities to make a difference in Canberra and right here in Sydney. This includes former Deputy Prime Ministers, the late the Hon. Tim Fischer, the Hon. Mark Vaile and the Hon. John Anderson, as well as Katrina Hodgkinson and the Hon. Sarah Mitchell in this Chamber.

As I join the ranks of Young Nationals sitting in the chambers of government, I must reflect on the people who have gotten us all here—that is, our party members. Members are the lifeblood of The Nationals. They help us develop policy, hand out how-to-votes, knock on doors and are always willing to provide honest feedback, sometimes without being asked for it. Our members are not just Nats, they are veterans, farmers, teachers, doctors, students, mums and even accountants. We are a broad church filled with many cultures and beliefs. The one thing that we all have in common is our unwavering passion for rural and regional communities.

I became a National because of this obvious passion, the ability to have your opinions and ideas respected, no matter how off the beaten track they might be. Today, 100 years on, I am proud to stand here as a Nat, representing the people from our regional communities and hopefully making a positive contribution to the future prosperity of our regions and our regions in this great State.

Ms ABIGAIL BOYD (11:02:00): I will make a brief contribution to this debate on behalf of The Greens. Often when these sorts of motions come forward we tend to just sit by and think, "Whatever—it's just a filler." However, given the comments of the Hon. Walt Secord—which I do not endorse—I wholeheartedly support his right to contribute to this motion. On the back of that I felt compelled to comment from The Greens perspective on how we view these kinds of motions.

Outside of this place we hear a lot from the public that politicians are really just interested in themselves, they like talking about themselves and they are more interested in their own party. There is a real frustration that once people get into politics they live in a bubble and do not understand their role any more. I see a motion such as this one, where party members talk about themselves—I make no comments on the particular party—as just a talkfest and love-in for themselves, and they invite criticism from others about the party. I think that is what the Hon. Walt Secord has done. I reflect and say that I think that these types of motions are an absolute waste of parliamentary resources and a real assault on our democracy.

The Hon. Catherine Cusack: Point of order—

The Hon. Ben Franklin: Why don't you sit down. Ms Abigail Boyd should resume her seat.

The Hon. Catherine Cusack: Show some respect. This motion was moved today by leave of the House. Ms Abigail Boyd did not object to it, but is now reflecting on the decision of the House. I ask you to call the member to order. If Ms Abigail Boyd wants to comment on the motion before the House she should direct her remarks to it.

The Hon. Walt Secord: To the point of order: I think the comments of Ms Abigail Boyd were completely in order. In fact, she reflected on the content of the speech and her contribution was to the content. She was not criticising the decision of the House; she was criticising why are we spending parliamentary resources on a motion like this.

The Hon. Natasha Maclaren-Jones: To the point of order: On Wednesday evening we held a meeting, at which all members are represented by their parties, to put forward motions for today. A wide range of motions are put on the agenda—we have one that is coming up about faux fur. Every member is respected in being allowed to put forward their motions. If Ms Abigail Boyd did not like the fact that this motion was on the agenda she could have had her party point that out but, more importantly, she could have voted against the motion that was moved today. Ms Abigail Boyd is now speaking to what was already debated and voted on this morning and is reflecting on the House. I ask you to call her to order.

Ms ABIGAIL BOYD: I hear the attempted deflection. I am not criticising the motion being moved; I am saying that if you move a motion you should expect debate on it.

[Government members interjected.]

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): Order! Let her finish.

The Hon. Sarah Mitchell: You said we are wasting time; that is reflecting on a decision of the House.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): I will rule on this point of order.

The Hon. Sarah Mitchell: Own it!

The Hon. Catherine Cusack: Sit down!

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): I ask members to show respect to other members. It is the role of the Chair to tell a member to sit down, not other members who scream across the Chamber and insult other members. Let us keep a bit of order in this House. I have heard the points of order. I agree that Ms Abigail Boyd has not addressed the motion before the House but is addressing other matters on the periphery of the debate. I ask Ms Abigail Boyd to come back to the motion before the House, which relates to the Centenary of the National Party of Australia.

Ms ABIGAIL BOYD: For those reasons The Greens do not support the motion or any motions like this. It is not a reflection on The Nationals. I do not make any criticism of The Nationals. I do not think it is appropriate for us to speak about ourselves in this place.

The Hon. Shayne Mallard: Point of order—

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): The member has just concluded her speech.

The Hon. Shayne Mallard: Some members in this debate have been consistently reflecting upon a decision of the House to debate this motion. Standing Order 71 states:

A Member shall not reflect on a previous decision of the House unless debating the rescission of such a vote. There have been a number of rulings from former Presidents, including President Burgmann, on this matter. Reflecting upon the right of this House to debate this motion is reflecting upon a decision of this House. Members debate the motion, not the fact that we are debating motions.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): I will seek advice from the Clerk. I thank the Hon. Shayne Mallard for his point of order. Ms Abigail Boyd has concluded her contribution. When members speak they should address the content of the motion before the House. If they do so other members will be happy.

Debate adjourned.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. NATASHA MACLAREN-JONES: On behalf of Mr David Shoebridge: I move:

That private members' business item No. 358 outside the order of precedence be postponed until a later hour.

Motion agreed to.

Motions

FUR TRADE

The Hon. EMMA HURST: I move:

That private members' business item No. 347 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. EMMA HURST (11:10:13): I move:

1. That this House congratulates Queen Elizabeth II on eliminating cruel animal fur from her wardrobe.
2. That this House notes that:
 - (a) more than 50 million animals suffer and die as victims of the international fur trade, including kangaroos in New South Wales;
 - (b) there is no reason for New South Wales to participate in an industry that puts animals through such suffering; and
 - (c) there are a variety of humane alternatives to animal fur available, including faux fur, as now worn by the Queen.
3. That this House endorses comments made by the United Kingdom's Humane Society that "fur is firmly out of fashion".

Last week it was announced that Queen Elizabeth II had made the decision to eliminate cruel animal fur from her wardrobe and opt for humane faux fur alternatives. The Queen's senior dresser, Angela Kelly, confirmed that as of this year our head of State has moved away from animal fur—much to the delight of the Australian and British public, the majority of whom are disgusted by the cruelty inflicted on animals for the sake of human vanity. Over 50 million animals suffer and die as victims of the international fur trade. This includes kangaroos that are killed here in New South Wales and exported to regions including Europe, Asia and the United States of America.

Not only do our laws currently condone the killing of innocent, sentient animals for this barbaric trade, but also we continue to support this cruel industry by allowing animal fur—including from bears, possums, rabbits and racoons—to be imported and sold within our State. Domestic animals, including cats and dogs, are not exempt from this cruel industry. While Australia has banned the importation of cat and dog fur, international investigations have shown that cat and dog fur is frequently mislabelled and sold as fox, rabbit or mink—not that the species really matters, because the suffering is the same. Tolerating this grotesque industry allows such savagery to go ahead.

It is clear the Queen and the extended royal family recognise this. The Duchess of Sussex, Meghan Markle, also chooses not to wear real fur for ethical reasons. I assume they know the brutal savagery that any support for this industry condones. Eighty-five per cent of the fur industry's skins come from animals raised in tiny cages. Animals are deprived of any quality of life and the ability to carry out their natural behaviours. As the majority of animals slaughtered for their fur are solitary, facing a life cramped in a cage with numerous other animals is incredibly stressful. Their suffering and frustration often leads many of those gentle animals to self-mutilate, biting at their own tails or gnawing at their own limbs. Following months of suffering in these horrific conditions, the traumatised animals are then killed by anal electrocution, by being gassed, or by breaking their necks or skinning them alive—inhumane and often ineffective methods designed to avoid damaging their fur.

For the 15 per cent of animals slaughtered in the wild for their fur, the story is no better. Those wild animals are trapped by body-gripping traps, steel-jaw leg-hold traps and wire neck snares—devices that inflict agonising, prolonged pain and are often not designed to kill, instead allowing for a human to slaughter the distressed animal once they arrive at the scene. Allowing the selling of fur in our State supports this barbaric, disgraceful industry and everyone in this House today should be horrified. There is no reason for New South Wales to participate in this extreme animal cruelty. With a variety of fashionable, humane alternatives—now endorsed by the Queen—giving our support to this horrific industry is unconscionable. As stated by the United Kingdom's Humane Society International, "fur is firmly out of fashion"—and it is. Everyone from the Queen to the community here in New South Wales knows that we do not need to abuse and kill animals in order to look luxurious. It is on this basis that I move that this House congratulates Queen Elizabeth II for removing cruel animal fur from her wardrobe and endorses comments made by the United Kingdom's Humane Society International affirming that animal fur is well and truly out of fashion.

The Hon. MARK LATHAM (11:14:29): One Nation opposes this motion according to the great Australian principle of "Who cares?" I can honestly say that in my nearly 59 years on the planet, not once have I woken up in the morning and thought, "What is the Queen wearing today?" As a proud, longstanding republican, I have to say I do not take many role models from the royal family: not Prince Charles, who once said he wanted to be a tampon; not Prince Andrew, who is caught up in the Jeffrey Epstein paedophilia ring—for the benefit of the younger generation and their memes, I want to make it clear that Epstein did not kill himself—and not Prince Harry. We once rated Prince Harry because he wore some interesting fancy dress costumes. These days, he is telling us that the world is about to end and you cannot have any more kids, while he is flying on a private jet down to Elton John's mansion on the French Riviera—a mansion that would have a carbon footprint the size of Blacktown.

We are not going to put up with this hypocrisy. We are not going to take lessons from the royal family on anything. I do not think your average Aussie worries too much about what the Queen wears. Realistically, we should allow people to have their choices. The paradox in the left using the royal family as their role model is what about the Indigenous? In a free society, any Indigenous Australian who wants to practise their traditional culture of killing an animal, taking the skins and wearing them—as they often do at the opening of our parliaments—should be allowed to do so. Those furs are part of the Indigenous culture. It is a case of identity worlds colliding. We always have to put greater priority on humans ahead of animals. Having come to this Parliament, I do not think I had ever thought I would live long enough to hear so much talk about rabbits and dogs and horses and pigs—even the intelligent pigs. But what about the humans?

The great stain on our society in New South Wales and this Parliament today is that somewhere between 50,000 and 100,000 children in New South Wales who have reported serious matters of child protection are not investigated, are not case managed, and are not the subject of visitations and remedial care by the Government of New South Wales. That is the great stain: 50,000 to 100,000 young people. I feel bad, not only as a citizen but also as a parliamentarian, that so little has been done about it for so long and that those children, night after night, can be in circumstances of having to put up with violence and sexual interference and things that the political system and its participants would never tolerate in our own families and communities. That should be the top priority. We have heard enough about pigs and rabbits and horses and dogs. Let us turn the focus to sensible debate about the needs of human beings—human beings who, in the traditions, set up these parliaments to further our civilisation and the people in our society and to treat the natural world fairly but not be obsessed by it.

The Hon. MARK PEARSON (11:17:32): I found it quite extraordinary to hear the words of the Hon. Mark Latham, who keeps talking about the Westminster system. We would not be in this place if it was not for the system that has been built around the monarchy. The Queen, when she comes, sits behind the Assistant President. The standards for animal protection, as well as human protection, have often come from statements by the royal family. Queen Victoria was the first queen or regal person in the world to adopt and support the Cruelty to Animals Act—the first in the world—which was introduced in Parliament by "Humanity Dick", or Richard Martin. Within five years, Queen Victoria enshrined the Society for the Prevention of Cruelty to Animals as royal.

The Queen made it clear that she would not tolerate bear fur being used for the caps of the soldiers in front of Buckingham Palace. Royalty has sent a clear message of a new understanding of ethical consideration—that the circle of compassion and consideration does not stop at one species. It does not stop at one type of human being. We have to consider mentally ill people, disabled people, the people who cannot stand up and seek assistance for themselves—just like animals. This place was established using the principles of the Westminster system, which means that we look to our leaders, including royalty, to shine the way into a more civilised society. Across the other side of the world, in a country colonised by England, Mahatma Gandhi clearly said that the measure of a civilised society is how it treats its animals. It is often cited by the greatest thinkers in the world—if you look at the after the lowest you are looking after all. That is the point the Queen has made.

Ms ABIGAIL BOYD (11:20:01): On behalf of the Greens I indicate support for this motion. In the nineties there was a bunch of revelations and realisations about the cruel killing of living beings purely for fur, which was viewed as fashionable, as opposed to a by-product of the meat industry. There was a very successful campaign against that idolisation of fur in the fashion world. Despite that millions of rare and endangered species have been and continue to be threatened by the fur trade. Millions of our native animals, including koalas and kangaroos, have been killed for their fur. Fur has threatened to make a fashion comeback. People forget after a period of time about why it was opposed in the first place.

The Hon. Wes Fang: Nice shoes, Abigail. Are they leather?

Ms ABIGAIL BOYD: It is a welcome viewpoint of those viewed as having importance in the fashion world to declare fur is out of fashion.

The Hon. Wes Fang: Are you wearing leather shoes?

The Hon. Mark Pearson: Point of order: Members should be respectful and allow the person speaking to do so without interruption. The Hon. Wes Fang is stepping over the line.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): I uphold the point of order and ask the Hon. Wes Fang to cease interjecting.

Ms ABIGAIL BOYD: Listen to the words, Wes.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): I ask the member with the call not to respond to interjections. I remind the Hon. Wes Fang that interjections are disorderly at all times.

The Hon. Wes Fang: You are wearing leather shoes and talking about animals. Hypocrisy dyed green.

The ASSISTANT PRESIDENT (The Hon. Shaoquett Moselmane): I call the Hon. Wes Fang to order for the first time.

Ms ABIGAIL BOYD: I made it clear in my opening remarks that the focus is on the cruel killing of living beings purely for their fur as opposed to being a by-product of the meat industry. As I was trying to say, it is important that those viewed as being of importance to some in the fashion world come out and declared that fur is out of fashion, despite those statements being a couple of decades late. It would have been good to hear the Queen say so earlier. I have no particular regard or disregard for the Queen. There was some discussion within The Greens as to whether we should be supporting this congratulation of the Queen. On the basis that she is someone that is looked up to in the fashion industry, and being a Queen does not rule someone out as an object for congratulations, we decided not to move that amendment. The Greens support the motion.

The Hon. ADAM SEARLE (11:23:00): The Labor Opposition will not oppose this motion. We note that it is about the fur trade. It is not about farming or breeding or meat or any of the other issues associated with animals. It is about the commercial fur trade, which is a separate and distinct issue. Perhaps this debate does not need to take up the whole of our business today, there are many other pressing issues.

The Hon. EMMA HURST (11:23:32): In reply: I will speak briefly in reply. The Queen's decision not to wear fur has sent a strong message worldwide and here in this House we should not only listen to her message but act upon it by supporting this motion. This House should recognise, as the Queen herself has recognised, that wearing animal fur is cruel and inhumane. It is a pity to hear members say "who cares?" about the murder of

millions upon millions of innocent sentient animals for their fur and to say "who cares?" about animals being held in cages, slaughtered via anal electrocution or face a slow death trapped in limb-crushing steel traps. It is unconscionable. Compassion does not need to be limited—we do not have to choose between people and animals. We can care about both at the same time. I suggest that members consider that option.

We all have the ability to feel pain and the ability to suffer. In that regard humans are equal to animals; in fact, we are an animal ourselves. We must acknowledge that there is no reason for New South Wales to participate in such a horrendous industry that puts animals through agonizing torment and suffering all for the sake of an item of clothing. Her Majesty's decision is a statement to us all—animal fur is out of fashion. We should stand together to congratulate her on her compassionate decision to no longer support the barbaric fur trade.

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

The House divided.

Ayes20
Noes19
Majority.....1

AYES

Boyd, Ms A
Donnelly, Mr G
Graham, Mr J
Jackson, Ms R
Moselmane, Mr S
Primrose, Mr P
Shoebridge, Mr D

Buttigieg, Mr M (teller)
Faehrmann, Ms C
Houssos, Mrs C
Mookhey, Mr D
Nile, Revd Mr
Searle, Mr A
Veitch, Mr M

D'Adam, Mr A
Field, Mr J
Hurst, Ms E (teller)
Moriarty, Ms T
Pearson, Mr M
Secord, Mr W

NOES

Amato, Mr L
Cusack, Ms C
Farraway, Mr S.J. (teller)
Khan, Mr T
Mallard, Mr S
Mitchell, Mrs
Ward, Mrs N

Banasiak, Mr M
Fang, Mr W
Franklin, Mr B
Latham, Mr M
Martin, Mr T
Roberts, Mr R

Borsak, Mr R
Farlow, Mr S
Harwin, Mr D
Maclaren-Jones, Mrs (teller)
Mason-Cox, Mr M
Tudehope, Mr D

PAIRS

Sharpe, Ms P

Taylor, Mrs

Motion agreed to.

Bills

MUSIC FESTIVALS BILL 2019

WATER SUPPLY (CRITICAL NEEDS) BILL 2019

Messages

The PRESIDENT: I report receipt of messages from the Legislative Assembly agreeing to the Legislative Council's amendments to the bills.

Business of the House

POSTPONEMENT OF BUSINESS

Ms CATE FAEHRMANN: I move:

That private members' business item No. 254 outside the order of precedence be postponed until a later hour.

Motion agreed to.

*Documents***MASCOT TOWERS****Production of Documents: Order**

The Hon. COURTNEY HOUSSOS: I move:

That private members' business item No. 351 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. COURTNEY HOUSSOS (11:35:31): I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of passing of this resolution the following documents in the possession, custody or control of the Department of Premier and Cabinet, the Minister for Better Regulation and Innovation, and the Department of Customer Service:

- (a) any documents provided by the NSW Building Commissioner to the Minister for Better Regulation and Innovation regarding Mascot Towers;
- (b) any documents provided by the NSW Building Commissioner to Bayside Council regarding Mascot Towers; and
- (c) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

I make this call for papers under Standing Order 52 because of the clear crisis in the New South Wales building industry. The first report of the Legislative Council Public Accountability Committee's inquiry into the regulation of building standards, building quality and building disputes—a very considered, although interim, report—was tabled in this House yesterday. It highlights the need for a comprehensive approach.

During one of the hearings, the committee heard directly contradictory evidence from the NSW Building Commissioner. When I asked the building commissioner about his view on Mascot Towers—my evidence was based on documents I had seen stating that the building commissioner was advocating that Mascot Towers would need to be demolished or at least partly demolished—the commissioner directly contradicted that evidence. This call for papers will set the record straight. The requested papers will show us what the building commissioner said and what the building commissioner is, in fact, doing in his role. The issue of building defects across this State is incredibly important and there is no more obvious and vivid illustration of the issue faced by so many apartment owners than Mascot Towers, along with Opal Towers.

I respect the experience of the building commissioner but I have severe doubts about his ability to perform his role based on his performance so far and based on the resources that the Government is providing him. As the committee's report recommended, a building commission is needed to support a building commissioner. It cannot simply be another public servant within the NSW Fair Trading. Resourcing is needed to back him up. I think the commissioner's failure is partly due to this lack of resourcing because of the confusion about his role. Is he an inspector himself or is he supposed to provide the policy for the inspectors? Is he the expert or is he commissioning research from the experts in order to perform his role? This call for papers is an important way forward, along with the implementation of the committee's report that was tabled yesterday, in addressing the crisis that is gripping the New South Wales construction industry. I commend the motion to the House.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (11:39:04): In today's list of private member's motions, 10 of them concern Standing Order 52 applications. Interestingly enough, one application relates to the underfunding of parliamentary staff connected with the running of the House. Ten Standing Order 52 applications will impact on the resources of this House and of this Parliament. There is a place for Standing Order 52 applications. Not for one minute would I suggest that there ought not be transparency about the manner in which the Government operates, but the process beforehand should be this. Have we embarked on a proper process to ascertain the relevant documents that are the subject of a motion? Is there a legitimate forensic purpose in connection with the documents being sought? Have all other avenues of obtaining those documents been exhausted either by way of an application directly to the Minister, correspondence with the Minister and applications under the Government Information (Public Access) Act?

If we want to avoid putting a strain on the resources of the House, a Standing Order 52 application should be a last resort. Before Opposition members bring an application and put further strain not only on the resources of this Parliament but also departments, which undertake hours of voluminous research in compliance, they should first demonstrate that they have exhausted all other processes. I am not suggesting for one moment that the application now being considered by the House would involve that but there are other considerations relating to this application that are matters of concern. Some of the documentation that will be caught by this application may well be correspondence between the owners and the NSW Building Commissioner and private

correspondence among the owners. The privacy rights of the owners may need to be protected, but this motion pays no respect to that. In fact this call for documents under Standing Order 52 is just another example of using a massive sledgehammer to try to achieve some sort of political outcome. The Government opposes the motion. [Time expired.]

The Hon. MARK BUTTIGIEG (11:42:13): I was a member of the committee when my colleague the Hon. Courtney Houssos questioned the NSW Building Commissioner regarding his statements about the potential demolition of Mascot Towers. This motion is a valid course of action because the Hon. Courtney Houssos has reason to believe that those statements have been contradicted by the evidence. The Hon. Courtney Houssos is simply applying the procedures of this House to obtain documentation to corroborate or otherwise her suspicions. It is a valid line of inquiry.

The Hon. Damien Tudehope: Well, there it is. Good on you.

The Hon. MARK BUTTIGIEG: On previous occasions when Opposition members have attempted to obtain documentation through other channels, they have been fobbed off.

The Hon. Damien Tudehope: When?

The Hon. MARK BUTTIGIEG: If the Minister wants to perpetuate the argument time after time that the Opposition should take action through the proper channels and, if so, the Government will cough up the information, I say cough up the information and then the Opposition might stop making applications under Standing Order 52. But in this case the Hon. Courtney Houssos is simply trying to do her job, which is to hold the Government and its Ministries to account. She has reason to believe that what the building commissioner said was not factual and she is trying to corroborate that. I think it is more than valid that she should do so.

Reverend the Hon. FRED NILE (11:43:45): This motion deals with a very important issue. It concerns a matter that is causing great concern to the citizens of New South Wales, especially those who have purchased apartments in new high-rise blocks such as Mascot Towers. For those reasons the Christian Democratic Party supports the motion to obtain any documents provided by the NSW Building Commissioner to the Minister for Better Regulation and Innovation regarding Mascot Towers, any documents provided by the NSW Building Commissioner to Bayside Council regarding Mascot Towers, and any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House. The motion is very important. Throughout the Hon. Courtney Houssos' term as a member of this House, she has been very cautious in not moving motions on the spur of the moment for the production of documents under Standing Order 52. Because the Hon. Courtney Houssos regards this issue as important, I support the motion.

The Hon. ROBERT BORSAK (11:45:07): On behalf of the Shooters, Fishers and Farmers Party I support the motion calling for papers under Standing Order 52 in relation to Mascot Towers and statements and activity of the NSW Building Commissioner. I was present when the building commissioner first presented his evidence to the Public Accounts Committee. Quite frankly I was quite surprised by some of what he had to say about the condition of at least one of the towers in the building known as Mascot Towers. According to media reports the residents of Mascot Towers have had to band together to obtain a loan for repairs to the building—a building that they should have been able to rely upon for 50 years, 60 years or 100 years. Already those residents have had to examine what it will take to repair the building.

Any documents provided to the NSW Building Commissioner, especially given his statements before the Public Accounts Committee, will be important. Members of this House need to see them and know exactly his true opinion. We also need to know anything that the building commissioner provided to the Bayside Council related to Mascot Towers because that council would have authorised the construction at the relevant time. Those particulars constitute an interesting mix of facts and factors that members of this House must come to grips with. Members of this House also need to know about any other legal advice involved in making sure that the House obtains the documentation sought.

The situation with this Government is that when Standing Order 52 motions become a resolution of the House, the Government starts to drag its feet and basically mucks around with objecting and finding reasons not to comply. In the end result, the House is not provided with the documents sought. Bearing in mind past failures of Standing Order 52 resolutions to produce the desired documentation, today I will move a motion to have a new set of standing orders apply. I understand why the Government objects: it wants to hide what is going on. If I were in the Government's position, I would want to be hiding what is going on, too. But the reality is that this House shortly will consider a bill introduced by Minister Anderson to improve the building industry in terms of its governance and its professionalism. The debate on that bill will be interesting.

The Hon. Damien Tudehope: Will it?

The Hon. ROBERT BORSAK: I am looking at the Minister for Finance and Small Business, yes. The papers being called for will provide members of this House with a better in-depth knowledge and greater understanding of what has happened with Mascot Towers. I urge members to vote in favour of this motion for the production of documents under Standing Order 52.

Ms ABIGAIL BOYD (11:47:49): On behalf of The Greens I state at the outset that we will support the motion. Clearly the motion relates to a matter of significant public interest. The level of accountability and transparency that we would like to see in relation to such matters again has not occurred. The Greens therefore believe that an application under Standing Order 52 is an appropriate action to take in order to find out the information we need.

The Hon. COURTNEY HOUSSOS (11:48:22): In reply: I will address two of the points made by the Minister during his contribution. The first relates to the Minister's comments on the onerous requirements that are imposed by a call for papers by this House under Standing Order 52. My response is that I take that responsibility incredibly seriously. Opposition members do not make a call for papers lightly but this issue requires urgent attention. When a parliamentary committee is provided with directly contradictory advice from a public servant and contradictory advice is provided also to a media outlet, there is a need to forensically uncover what has happened. On other issues there has been a pursuit of whether the search for documents should come more appropriately through the committees or whether it should come through this House. The decision of the Public Accountability Committee on another matter was to instead bring it to the House to fulfil that. That, in the first instance, is why the House is dealing with it today. The second thing the Minister raised that I want to address is the issue that it may encompass private correspondence with owners.

As a member of this place, I take that incredibly seriously. These are people whose major financial investment is currently in such a tenuous situation. As I have said before, a survey conducted by the strata found that at least 30 per cent of those owners have no other means of seeking financial recourse for the repairs that have been done. In response to that, the Minister in question—not the Minister responding in this House; the Minister for Better Regulation and Innovation in the other place—said this was some kind of publicity stunt. We need to get to the bottom of what is going on with the management of Mascot Towers, how it is being handled by this Government and how it is being handled by the building commissioner.

This call for papers will help us do that. To say that I will not treat their private correspondence with the greatest of respect, I disagree. I will treat that with the greatest of respect. These are people who through no fault of their own, as they provided in evidence to our committee, are facing financial ruin. It is a situation that we should take incredibly seriously. I commend the motion to the House.

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

Motion agreed to.

NSW POLICE FORCE

Production of Documents: Order

The Hon. ROBERT BORSAK: I move:

That private members' business item No. 355 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. ROBERT BORSAK (11:52:11): I seek leave to amend private members' business item No. 355 outside the order of precedence for today of which I have given notice by inserting "and actual strength" after "authorised strength" in paragraph 3 (c).

Leave granted.

The Hon. ROBERT BORSAK: Accordingly, I move:

1. That this House notes that on 29 August 2019 Portfolio Committee No. 5 - Legal Affairs, following the Budget Estimates hearing into Police and Emergency Services, resolved that: "The committee write to the Minister for Police and Emergency Services to request that he provide the following documents:
 - (a) documents provided to the Minister by the Commissioner of Police in answers to questions taken on notice during a hearing held by Portfolio Committee No. 4 for the budget estimates in October 2018 and referred to by the commissioner in the hearing today:
 - (i) a report on a review of the structure and performance of the Firearms Registry;
 - (ii) a report on an independent review of the "genuine reason" test applied to applications for suppressor permits; and

- (iii) an answer regarding staff reductions at the Firearms Registry.
 - (b) "Lessons learnt" internal report regarding strip searches, November 2018;
 - (c) "Authorised strength" report by Police Area Command and Police Districts as at today; and
 - (d) the documents referred to in this resolution be returned to the committee within 14 days".
2. That this House notes that:
- (a) on 13 September 2019 the committee received correspondence from the Minister for Police and Emergency Services that declined the committee's request;
 - (b) on 19 September 2019 the Chair, Portfolio Committee No. 5 - Legal Affairs, wrote to the Minister for Police and Emergency Services to reiterate the committee's request and outline its common law power to compel the production of documents, subject to the provisions of Legislative Council Sessional Order – Orders for the production of documents by committees, adopted 8 May 2019; and
 - (c) on 27 September 2019 the committee received further correspondence from the Minister for Police and Emergency Services that again declined the committee's request.
3. That, notwithstanding the position of this House that its committees have the power to order the production of documents, that, under Standing Order 52, there be laid upon the table of the House within 14 days the following documents in the possession, custody or control of the NSW Police Force, the Minister for Police and Emergency Services, and the Department of Justice:
- (a) documents provided to the Minister by the Commissioner of Police in answers to questions taken on notice during a hearing held by Portfolio Committee No. 4 for the budget estimates in October 2018 and referred to by the commissioner in the 29 August 2019 Portfolio Committee No. 5 - Legal Affairs budget estimates hearing for Police and Emergency Services:
 - (i) a report on a review of the structure and performance of the Firearms Registry;
 - (ii) a report on an independent review of the "genuine reason" test applied to applications for suppressor permits; and
 - (iii) an answer regarding staff reductions at the Firearms Registry.
 - (b) "Lessons learnt" internal report regarding strip searches, November 2018;
 - (c) "Authorised strength and actual strength" report by Police Area Command and Police Districts as at 29 August 2019; and
 - (d) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

This Government's sustained and deliberate lack of transparency and aversion to providing answers directly relevant to questions is a growing concern. It signals a systematic attempt by this Government to undermine the ability of this House to hold the Government to account. The Government's intransigence has prompted an unusually large number of orders for papers passed in this House since the election just eight months ago. This year there have been 40 orders for papers agreed to. This week alone, the Shooters, Fishers and Farmers Party gave notice for four orders for papers and one censure motion. We will gradually work our way through these but today I want to focus on item No. 355 of the *Notice Paper*.

This particular order for papers firstly goes back to budget estimates in October 2018—that is how recalcitrant this Government is—when the Government failed to produce a report on the structure and performance of the Firearms Registry; a report on an independent review of the "genuine reason" test applied to applications for suppressor permits; and an answer to a question about staff reductions at the Firearms Registry. The order also calls for production of the report from the NSW police Lessons Learned Unit in November 2018 evaluating the efficacy of the police strip search program. Finally the order calls for the production of authorised and actual positions for each Police Area Command and Police District.

It is important that the Government produces these documents because the community has a right to know, it effects community safety. People are sick and tired of this Government hiding behind a veil of secrecy, obfuscation and denial. I go back again to budget estimates in October 2018 where commitments were made by the commissioner, commitments were made by the Minister and then subsequently flouted. It has been an ongoing process of avoidance, a lack of transparency and non-production of documents that have been requested by this House. I commend this order for papers to the House.

The Hon. JOHN GRAHAM (11:55:20): The Opposition supports this motion. I have previously placed on the record the Opposition's views about the need for basic scrutiny and basic information about the Firearms Registry. We have previously supported motions to make sure that information is available to this House in whatever form is appropriate. This is clearly a considered request in a call for papers. As the honourable member said, it has been going on for too long. I am informed that it has been the subject of considerable committee consideration, so it has been through that process. It is not coming without that consideration having been

completed. The other issues referred to are matters of public interest. When this House is entering into those debates, members should have all the facts in front of them. For those reasons, the Opposition supports the motion.

Ms ABIGAIL BOYD (11:56:31): The Greens support this motion. I note that there appears to be a cultural element involved in the lack of transparency and accountability we are seeing from this Government. No-one wants calls for papers under Standing Order 52 to continue to have to be used. However, we do believe it is required in this case, so we support this motion.

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) (11:57:04): The Government opposes the motion. Firstly we are all aware of the importance of maintaining the separation of powers between the legislature, the judiciary and the Executive. This separation of powers is one of the most fundamental tenets of our system of government. Bringing this motion forward creates a problem. Part of this motion requests information relating to a review on how police approve suppressor or silencer permits, which one would assume is related to individual decisions on suppressors made by the Firearms Registry.

I am advised that was a commitment that the commissioner made last year. I understand the review was completed and since then it has been made clear that registry decisions are in line with NSW Civil and Administrative Tribunal determinations. I am also advised that information has been published providing clarification on this issue and is now available on the NSW Police Force website. It is the view of the Minister and the Government that the appropriate authority to review the appropriateness of an administrative decision is the NSW Civil and Administrative Tribunal or the courts. On that basis I invite honourable members to consider the precedent that supporting this motion will create.

It is also the view of the Minister and the Government that it would be inappropriate to provide some of the information requested as it contains operational matters under consideration by the NSW Police Force. The police force is not like any other government agency. The police are our last line of defence against those who seek to do us harm. I know many members of this place would agree that the public release of information relating to the inner workings or licence review process of the Firearms Registry could lead to people attempting to game the system. The last thing any member in the House wants is someone who is not a law-abiding gun owner to get a gun, let alone cheat their way into getting a firearms licence.

Third and finally, the request being made today includes a request for the strength of every police area command and police district. That is not really related to the thrust of the motion. Detailed information about authorised strength in the NSW Police Force is available in the annual report. I am advised that the honourable member should look at page 7 of the 2017-18 annual report to read the information. [*Time expired.*]

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

Questions Without Notice

WAGE THEFT

The Hon. ADAM SEARLE (12:00:23): My question is directed to the Minister for Finance and Small Business. What action is Revenue NSW taking to respond to community concerns that Woolworths has failed to meet a substantial payroll tax obligation following its public declaration of the underpayment of its workforce of up to \$300 million?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:00:57): This question follows from a line of questioning that was developed yesterday in answer to a question from the Hon. Rod Roberts in respect of the mining industry and underpayment of wages to people involved in the mining industry. In many respects the response remains the same. Revenue NSW is committed to pursuing revenue which is due and payable on behalf of the people of New South Wales. I cannot be more clear than that.

The Hon. John Graham: You could be more detailed.

The Hon. DAMIEN TUDEHOPE: I acknowledge the interjection, although you do not like me acknowledging interjections—

The Hon. Mick Veitch: Because they are disorderly.

The Hon. DAMIEN TUDEHOPE: It is disorderly to acknowledge interjections and probably disorderly to make them.

The PRESIDENT: I will just stop the Minister. Not only do I not like members acknowledging them, I do not like members then making a ruling that they should not acknowledge them. That should be left to me. The Minister has the call.

The Hon. Mick Veitch: You are batting, bowling and umpiring all at the same time.

The Hon. DAMIEN TUDEHOPE: It is merely commentary. The point is this: The commitment by the Government to pursue revenue owing to the State is unrelenting. In fact, wage theft is in many respects at the focus of a significant amount of work being done not only by government departments in the pursuit of wages due and payable to the employees of this State. I mentioned yesterday that the Commonwealth Attorney-General is making strong statements about pursuing that particular obligation by employers. To the extent that the Leader of the Opposition is asking us to disclose the liability and the investigation relating to an individual taxpayer, it is the policy of the department that it does not comment on those investigations or in fact reveal—

The Hon. Daniel Mookhey: This case is appalling though. Will you acknowledge that?

The Hon. DAMIEN TUDEHOPE: The Hon. Daniel Mookhey knows full well, having been to the tribunal, the policy of the department is to protect the identity of those taxpayers. It is in fact protected at law. Mr President, I put it to you—and I put it to the Leader of the Opposition—that the policy remains the same. We do not comment on individual investigations or the liability of individual taxpayers.

The Hon. ADAM SEARLE (12:03:47): I ask a supplementary question. Will the Minister elucidate those parts of his answer where he talked about the Government being unrelenting in pursuit of outstanding revenue and those parts where he talked about privacy of taxpayers, and explain to the House how a major corporation like Woolworths has any legal right to privacy?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:04:19): That is an extraordinary proposition.

The Hon. Adam Searle: They have admitted the underpayment.

The Hon. DAMIEN TUDEHOPE: It is an extraordinary proposition for the Leader of the Opposition to create a new policy where in fact he wants the Government and its revenue department to be disclosing the obligations and investigations relating to—

The Hon. Adam Searle: Point of order: In neither my supplementary question nor my original question did I ask for the outstanding liability to be disclosed. The question related to the steps that the Government was taking on the specific matter.

The Hon. Trevor Khan: To the point of order: That is not a point of order.

The PRESIDENT: I consider that the Minister was being directly relevant to the supplementary question that was asked. The Minister has the call.

The Hon. DAMIEN TUDEHOPE: I say to the Leader of the Opposition that it is not the policy of the revenue collector in this State to comment on individual pursuits and investigations relating to specific taxpayers. Notwithstanding that, as he quite correctly points out, there may well be an admission in respect of a potential underpayment. The collection of revenue is something which, for the general benefit of taxpayers throughout the State, a policy in fact is adopted and it is not just whether it is Woolworths, which is a major corporation—it protects us all. It protects us all that we do not in fact have a policy which comments on individual taxpayers. Unless the honourable member is suggesting that we adopt a different policy and come in here and give a running commentary on every taxpayer, he should respect the policy adopted by Revenue NSW which does not engage in commentary in respect of individual taxpayers.

The Hon. JOHN GRAHAM (12:06:22): I ask a second supplementary question. I invite the Minister to elucidate that part of his answer where he raised general opposition to wage theft. Does the Minister agree that this is one of the worst cases that has been exposed?

The Hon. Don Harwin: Point of order: The question is clearly asking for an opinion of the Minister as to whether in fact it is the worst case.

The Hon. Walt Secord: To the point of order: From this side of the Chamber I could actually hear the Minister take the first gasp to give the answer, so he had already begun to answer. I could hear the intake of air as the first syllable was ready to creep out, so I think he actually began the answer.

The PRESIDENT: I say to the Hon. Walt Secord that that is an incredibly well-thought and well-presented argument, but I did not hear the gasp and I rule that point of order out of order. I indicate that under Standing Order 65 (2) (a) questions must not ask for an expression of an opinion and clearly that is what was being sought. The second supplementary question is out of order.

[Business interrupted.]

*Visitors***VISITORS**

The PRESIDENT: I take this opportunity on behalf of all members to welcome to the public gallery Councillor Reg Kidd, Mayor of Orange City Council, who is the guest of the Hon. Sam Farraway.

*Questions Without Notice***MENINDEE MISSION**

[*Business resumed.*]

The Hon. SAM FARRAWAY (12:08:18): My question is addressed to the Aboriginal affairs Minister. Will the Minister update the House on the outcome of the Menindee Mission seventieth anniversary reunion event that occurred from 8 to 11 November 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) (12:08:53): Congratulations to the honourable member on a fine inaugural speech last night, which I enjoyed having a look at. Menindee Mission was opened in 1933 by the New South Wales Aborigines Protection Board to manage and control Aboriginal people who were brought there. Seventy years ago in September 1949 the mission, located approximately one hour south-east of Broken Hill on the Darling River, closed down. It is now owned and managed by Menindee Local Aboriginal Land Council. The Ngiyampaa people have historically told the story that they were taken to Menindee Mission from Carowra Tank in trucks and forced to live there. At the same time they were separated from their children who were four to five years old and who were told that their families were massacred.

It was not until between 1970 and 1995 that those descendant children learnt that their families were, in fact, at Menindee Mission. The seventieth anniversary event was to help heal and tell the true story of how the children were taken away from their families who were kept forcibly on the mission. The reunion enabled Elders, their families and descendants to return, reunite, reflect, repair and celebrate their culture, resilience and determination to survive despite this tragic history through a spiritual healing process. It was initiated by the Ngiyampaa people and included the Parkintji and Wiradjuri peoples who also resided at Menindee Mission.

Aunty Beryl Carmichael is the Elder who initiated the event and who has featured in the local newspaper. It was coordinated by Mick Kelly for the Ngiyampaa tribal descendants and supported by Menindee Central School principal Fiona Kelly. The four-day program included a welcome home ceremony, sporting events, truth-telling events, bush food cooking and a night time corroboree commemorating the last dance on the Menindee Mission in 1946. All the reunion activities and interviews with Elders are being captured by school children who are using it as part of their school curriculum projects. Documenting the stories and participating in the activities empowers high school students and families with a transfer of knowledge, stories, songs, dances and other cultural activities from Elders to their descendants. The New South Wales Government is proud to have supported the event that was significant to those families from the Menindee Mission.

UNCONVENTIONAL MONETARY POLICY

The Hon. WALT SECORD (12:11:51): My question without notice is directed to the Minister for Finance and Small Business in his own capacity and representing the Treasurer. Given the evidence last month to Portfolio Committee No. 1 - Premier and Finance and statements by Reserve Bank Governor Philip Lowe and Federal Treasurer Josh Frydenberg, what is the New South Wales Government's response to community calls for governments to examine unconventional monetary policy?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:12:30): I thank the honourable member for his question. I also acknowledge Reg Kidd in the public gallery. When I was in Orange a fortnight ago he was very cordial and welcoming. I thank him for his hospitality. The Treasurer takes tax reform and the approach to monetary policy very seriously. As I have said previously, the Productivity Commissioner's report has suggested the things that governments should look at to increase the productivity of the State. Additionally the Federal State tax review panel is looking at how tax is levied and revenue collected by the State, and whether it is getting its fair share of revenue from the Commonwealth Government by way of GST distribution.

The Hon. Walt Secord: Point of order: My point of order relates to relevance. The Minister is talking about tax reform and not monetary policy.

The PRESIDENT: The Minister was being directly relevant.

The Hon. DAMIEN TUDEHOPE: That is an astonishing observation. For too long New South Wales has been the productivity capital of Australia.

The Hon. Daniel Mookhey: For too long?

The Hon. DAMIEN TUDEHOPE: Except when Labor was in power. We were at the bottom of the productivity scale when Labor was in power.

The Hon. Daniel Mookhey: Point of order—

The PRESIDENT: The Clerk will stop the clock.

The Hon. Daniel Mookhey: My point of order relates to direct relevance. The Minister is well and truly straying from the question, which was about unconventional monetary policy. He should give a conventional answer that is directly relevant.

The PRESIDENT: To be honest, a much better point of order would have been on the Minister responding to interjections. He should not acknowledge the interjections by the Hon. Daniel Mookhey. The Minister should be directly relevant to the question.

The Hon. DAMIEN TUDEHOPE: When tax policy is introduced, it should not be set in concrete for all ages. It is incumbent upon a good government to look at how the citizens of the State are taxed, and whether it is getting a fair share of the money that is due to the citizens of the State. An irresponsible government would say, "Leave the levers as they are. Just do nothing. Don't look at alternatives." The Government is looking at the ways in which it is collecting revenue for, and on behalf of, the people of New South Wales to improve their lot in life.

COMMERCIAL FISHING INDUSTRY

The Hon. MARK BANASIAK (12:16:39): My question without notice is directed to the Minister for Mental Health, Regional Youth and Women representing the Minister for Agriculture and Western New South Wales. Given that the former Minister in charge of fisheries told a standing committee that a socio-economic study of the Commercial Fisheries Business Adjustment Program had already been done when it was just a framework on how to do the study, what confidence does the Minister have in Professor Kate Barclay, who has been commissioned to do the study and who is currently on a sabbatical overseas? Will the study be genuine and not some glorified online survey, as has been suggested by the commercial fishermen?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:17:22): I thank the honourable member for his very detailed question to the Minister that I represent regarding fishing and the framework. Minister Marshall has been doing an incredible job in creating a fantastic sanctuary and process to save and preserve all those fish.

The Hon. Mark Banasiak: Point of order: My point of order relates to direct relevance. The Minister is pumping up the Minister's tyres about saving fish. The question is related directly to the commercial fishing industry and a study being done about the plight of commercial fishermen. It is not about saving fish in Menindee that have already been killed.

The PRESIDENT: The Minister was setting some foundation and has only just commenced her answer. I am confident that the Minister will now proceed to being directly relevant.

The Hon. BRONNIE TAYLOR: The industry contributes more than \$3.4 billion to the State's economy and accounts for more than 14,000 full-time jobs. The New South Wales Government is absolutely committed to promoting the sustainable growth of recreational fishing.

The Hon. Mick Veitch: The question is about commercial fishing, not recreational fishing.

The Hon. BRONNIE TAYLOR: As the question is detailed and refers to commercial fishing and the framework and a member in the other House, I will happily take it on notice and provide some more details to the member.

STUDENTS WITH DISABILITY

The Hon. SHAYNE MALLARD (12:19:32): My question is addressed to Minister for Education and Early Childhood Learning. Will the Minister update the House on how our schools are supporting students with disabilities?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:19:45): I thank the honourable member for his question. I am pleased to tell the House that last week I had the opportunity to visit two extraordinary schools that are working hard to make a real difference in the lives of

their students who have disabilities and additional learning needs. As I mentioned previously, last month at Family Advocacy's Inclusive Education forum—which I acknowledge members from all sides of this place attended—we heard the story of AI, a former student of Turramurra High School who recently completed his HSC. I was so inspired by the way the school included AI as a valued member of their community and by what I heard about the school from local member Alister Henskens that I wanted to meet the school staff. We had the opportunity to do that last week. Principal David Arblaster and the school's team of dedicated teachers, student learning support officers and itinerant support teacher have worked hard to ensure that they are able to provide the best possible support to their students.

The school staff have collaborated to create a dynamic and inclusive learning environment, which is considerate of the needs of all students and we saw that in action. Students are empowered to reach their potential through the creation of supportive relationships and a future-focused learning environment. It was incredible to have the opportunity to speak with students and staff about their experiences. The resources that the school has invested in and put in place to support those students are amazing. They range from braille maths textbooks to JAWS screen reading software. I congratulate them on that work. I also had the chance to visit Ashfield Public School, where Principal Damien Moran is trailblazing with his new collaborative classrooms program that the school introduced this year. The purpose of collaborative classrooms is to develop the personal and social capability of students with disability and additional needs by enabling students in the support unit to learn in mainstream classrooms alongside their peers. At the school I visited an opportunity class, which was hosting a collaborative classroom, with students from the support unit working side by side their peers to develop their individual strengths and talents, a love of learning and the capacity to achieve.

It was wonderful to see how committed the school is to giving every child every opportunity within a culture of evidenced-based growth and wellbeing. They have clearly put this in practice throughout the school. I once again congratulate Principal Damien Moran on the leadership he is showing with this, supported by his teachers, particularly those in the support unit, and also the mainstream class teachers and the school learning and support officers who are all engaged in collaborative planning. These are just two examples of some of the work our schools are doing to support students with disability to thrive at school. We are committed to increasing support for our schools through initiatives highlighted in the recently released disability progress report, including an innovation program to fund initiatives like collaborative classrooms and scholarships to increase the number of people studying inclusive education. I encourage teachers across the State to consider applying for one of those scholarships.

NSW NATIONAL PARKS AND WILDLIFE SERVICE

The Hon. ROBERT BORSAK (12:22:50): My question without notice is directed to Minister for Mental Health, Regional Youth and Women representing the environment Minister. Given that scrub is reluctant to burn under mild conditions, but when ignited it explodes, why has the NSW National Parks and Wildlife Service allowed for long intervals between controlled burns that ensure build-up of fuels and scrub?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:23:20): I thank the honourable member for his question. Again, as it refers to a Minister in the other place whom I represent, I will take it on notice and get back to him with a response.

The Hon. ROBERT BORSAK (12:23:35): I ask a supplementary question. Given the NSW National Parks and Wildlife Service has repeatedly failed to address this problem, what measures will the Minister take to ensure that the people responsible for these duties have the proper knowledge and skills in land management?

The Hon. Wes Fang: Point of order: That was clearly a new question and—

The PRESIDENT: That is sufficient. The member is 100 per cent correct. The supplementary question clearly does not tick the three criteria for supplementary questions. It is a new question. Firstly, it does not indicate which part of the Minister's answer an elucidation was being sought. Since the Minister simply took the question on notice to refer to her colleague in the other place, I do not see how the member could seek an elucidation.

The Hon. ROBERT BORSAK: I tried to give it a go.

The PRESIDENT: I understand that. The member did a wonderful job. It is a fantastic question for a later time.

SCHOOLS ASBESTOS MANAGEMENT PLAN

The Hon. COURTNEY HOUSSOS (12:24:56): My question without notice is directed to the Minister for Education and Early Childhood Learning. Due to the continued focus on asbestos in New South Wales schools and given that School Infrastructure NSW official Mr Dean Slattery has told worried school principals to be

patient as "the compliance team are frantically updating all registers", how often are principals sent updated data from the asbestos register through their local asset management units?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:25:28): I thank the member for her question about asbestos management in our schools. I will repeat what I have said in the past: We have a rigorous system of maintenance and monitoring at all schools across the State. I have canvassed these issues extensively in previous question times. The member asked specifically about correspondence on behalf of someone from School Infrastructure NSW, which I expect refers to some information that came through some calls for papers that were received recently. I will check the correspondence that she is referring to.

I say more broadly that within the substance of the question there was a comment regarding concerned principals. I have to be up-front. When I am visiting schools, principals do not say to me that they are really worried about asbestos conditions at our schools. They talk about different things that the Government is investing in. We need to be careful that we do not turn this into some sort of hysteria that is not warranted. I agree that it is a serious issue but I also agree that we have measures in place because safety of children is important, particularly when it comes to the management of asbestos. As the Minister I take it incredibly seriously, but we also need to be careful not to draw attention to something that makes it out to be more of an issue with our school principals than it is.

The Hon. COURTNEY HOUSSOS (12:26:50): I ask a supplementary question. In her answer the Minister said that there is a rigorous system. Will she elucidate on whether the local asbestos registers are being completed annually?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:27:11): I will seek advice from School Infrastructure NSW in terms of the timing of that. Obviously the asbestos registers are updated and the most recent one was updated on the website not long ago. In answer to previous questions about asbestos in the House I have made this comment: The register for the local management of asbestos is maintained by the principal on site.

DROUGHT AND MENTAL HEALTH

The Hon. TAYLOR MARTIN (12:27:41): My question is addressed to the Minister for Mental Health, Regional Youth and Women. As the drought continues to worsen, what is the New South Wales Government doing to support young people in regional areas address their mental health?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:28:00): I thank the honourable member for his question and his interest in the State's young people, as he is one of them, and my mother's favourite member.

The Hon. Sarah Mitchell: More than you?

The Hon. BRONNIE TAYLOR: More than me, yes.

The Hon. Mark Latham: What about Walt?

The Hon. BRONNIE TAYLOR: I will not tell you what mum said.

The PRESIDENT: Only if it is directly relevant to the question.

The Hon. BRONNIE TAYLOR: This Government is well aware of the situation that our regional and rural areas are facing at the moment. It is the worst drought on record, with close to 100 per cent of the State in drought. We also know that it is not just affecting farmers. The drought on the mid North Coast and North Coast has seen dry bushland burn with intensity like we have never seen before. As the Minister for Mental Health, Regional Youth and Women, I am focused on how we can better provide mental health support to young people in our regions so that future generations are healthy and hopeful about living in their community after these tragedies. We have been listening closely to young people about the model of mental health service they feel most comfortable with and adapting our services accordingly.

Already we are supporting Kids Helpline to answer an extra 18,400 calls per year to provide support specifically to children, adolescents and young people. We also helped Lifeline introduce its crisis SMS service trial. These are free services that can be accessed by anyone at any time, no matter if they are experiencing the drought out the back of Bourke or on the coast at Old Bar, which has been heavily impacted by the bushfires. Our Wellbeing and Health In-Reach Nurses are already doing some amazing work in Tumut, Cooma and Young and our election commitment to employ new nurses will help more school-aged young people better address their mental health needs.

Our schools, particularly those in our country and coastal communities, play such an important role in early intervention and prevention of mental health problems in young people. Recently I joined my good friend and colleague the Minister for Education and Early Childhood Learning, Sarah Mitchell, in Coffs Harbour to announce our \$1.5 million mental health in schools program. This initiative is part of our \$88 million investment in students' mental wellbeing. It will allow mental health organisations to deliver evidence-based programs that support students and build the mental health literacy of our teachers. We saw a wonderful vegetable garden that they had built at the high school in Coffs, and the young people told us about all the incredible opportunities they could have by connecting, getting their hands dirty and growing food. It was just great.

Batyr and Headspace will be delivering suicide prevention training and we are extending our existing partnerships with the University of Wollongong's wonderful Project Air and the Black Dog Institute's Youth in Distress program. Most importantly, this program will prioritise regional and rural schools, making sure that those who are most acutely affected by these terrible disasters have the skills to address their mental health and prevent the onset of larger mental health problems in the community.

STOCKTON BEACH

Ms ABIGAIL BOYD (12:31:00): My question is directed to the Minister for Mental Health, Regional Youth and Women representing the Minister for Energy and Environment. Stockton Beach near Newcastle has lost about 10 million cubic metres of sand over the past century, mostly due to artificial structures and the movements of large ships. In recent times, the rate of erosion has worsened, with 2.5 metres in sand height lost in a matter of hours in late September. Although I understand that some short-term emergency funding has been provided, what are the Government's long-term plans to rehabilitate Stockton Beach and prevent such erosion in future?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:31:42): I thank the member for her question about Stockton Beach. As it relates to a Minister from the other place who I represent and as it contains detail, I will take the question on notice and provide an answer at a later date.

ENDEAVOUR SPORTS HIGH SCHOOL

The Hon. MARK BUTTIGIEG (12:31:58): My question is directed to the Minister for Education and Early Childhood Learning. Has the Minister's department investigated a February 2019 incident at Endeavour Sports High School in the Sutherland Shire where musical instruments were exposed to dangerous dust and will the Minister guarantee that all instruments were replaced, as per the request of the principal?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:32:31): I thank the Hon. Mark Buttigieg for his question in relation to a specific incident at one of our 2,200 public schools, Endeavour Sports High School. I am advised that the music equipment, 34 guitars and 30 keyboards, was replaced and that the Asset Management Unit covered the cost of the replacement.

WORK AND DEVELOPMENT ORDER SCHEME

The Hon. MATTHEW MASON-COX (12:33:14): My question is addressed to the Minister for Finance and Small Business. How is the Revenue NSW Work and Development Order [WDO] scheme opening up opportunities for the State's most disadvantaged and vulnerable people?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:33:38): I thank the Hon. Matthew Mason-Cox for this important question.

The Hon. Mick Veitch: You wrote it.

The Hon. DAMIEN TUDEHOPE: I did. One of the Premier's Priorities is breaking the cycle of disadvantage and there are so many ways across government that we are working towards this goal. Members will recall that during the debate on the Fines Amendment Bill 2019 one particular issue which was consistently raised was that of how to ensure that the disadvantaged and financially vulnerable do not find themselves trapped in a cycle of government debt. The Work and Development Order scheme is one significant program that reinforces this Government's commitment. Run in partnership with Revenue NSW, the Department of Communities and Justice and Legal Aid NSW, this innovative program provides disadvantaged and vulnerable people in New South Wales with opportunities to satisfy their outstanding debt through non-monetary options. I acknowledge the work done for this program by Maureen Tangney. These options include drug and alcohol rehabilitation, mental health treatment, volunteer work, courses, and counselling. Many of our clients in the Work and Development Order scheme are undertaking training as well as life skills and education courses, which are essential for gaining employment.

One participant who recently spoke to our resolutions team has said that after receiving drug and alcohol counselling as part of his WDO his life is back on track and he has found a full-time job. As at 1 November this year, 145,000 applications have been approved and \$185 million in debt has been cleared through the scheme since it started in 2011. I am happy to announce that last week the WDO scheme was announced as the winner of the team category Tackling Longstanding Social Challenges at the NSW Premier's Awards. The NSW Premier's Awards celebrate excellence in the delivery of public services to the New South Wales community. Winners are assessed on criteria such as: evidence of innovation in responding to a problem, opportunity, or new policy; how well the work improved systems, services, or outcomes for the people of New South Wales and whether the work has succeeded where others have failed.

The Work and Development Order scheme was introduced in 2011 by this Government. I recall the then Attorney General, Greg Smith, was instrumental in working with the Department of Justice to implement this scheme. This scheme is focused not only on collecting dollars from people but also on turning people's lives around in circumstances when they find themselves disadvantaged. I congratulate the team on receiving this award and I commend the scheme to the House.

BUSHFIRES AND MENTAL HEALTH SERVICES

Ms CATE FAEHRMANN (12:36:43): My question is directed to the Minister for Mental Health, Regional Youth and Women. This morning's *AM* program on the ABC aired a story about fire fatigue, including the story of Emily Smith and her three young children. She told of losing her Bobin home in fires this week and her family's traumatic escape from the fire. From an evacuation centre in Wingham, Ms Smith said her family was at breaking point, that no social worker or similar had come to the centre yet and that her kids would really appreciate someone to sit down with and go through the events. The report also said that in evacuation centres around the State this role had largely gone to volunteers. Why is it falling to volunteers to provide essential counselling and other mental health services and will the Minister commit to an immediate boost in the number of mental health workers for people—including children—who have been impacted by these unprecedented fires?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:37:46): I thank the member for her question. I have been made aware of the radio interview that occurred this morning. As I mentioned yesterday when I spoke on this issue, we have Rural Adversity Mental Health Program [RAMHP] coordinators out in all of our areas at the moment. They are not volunteers; these are paid positions. They are doing an incredible job. We have coordinators in Tamworth, Grafton, Port Macquarie and Lismore. They have all been working directly with communities impacted by the bushfires over the past 10 weeks. This has included a far more acute response on the mid North Coast and northern areas of New South Wales in the past week.

Risk Assessment and Management Panel coordinators have provided on-the-ground support to victims of the Drake, Rappville and Tenterfield fires. Support has mainly consisted of directing people to the most appropriate support services. The coordinators have been liaising with Department of Primary Industries, Local Land Services and first responders to ensure that their mental health and wellbeing are being supported. They have also been working directly with the Office of Emergency Management regarding the development of funding proposals to support both immediate recovery needs as well as longer-term recovery needs of communities. They have also been attending as many community information sessions as possible to provide information to community members on how to support their mental wellbeing during these extremely tough times and what services can be accessed. These events have been organised between the Office of Emergency Management, local councils and the Rural Fire Service. The northern RAMHP coordinators were instrumental in getting the North Coast Primary Health Network to establish a free counselling service for those impacted by the bushfires via the Healthy Minds program. Whilst it is not possible to have a RAMHP coordinator at every single evacuation centre, the RAMHP resources, including the Glove Box Guide to Mental Health and the RAMHP coordinator contact deals have been distributed across 10 evacuation centres.

On a daily basis, RAMHP coordinators are visiting each evacuation centre based on the level of need. Evacuation centres that they have visited include the Cavanbah Evacuation Centre at Byron Bay, Mullumbimby RSM, Nimbin showgrounds, Goonellabah Sports and Aquatic Centre, Evans Head, Woodburn, Wauchope, Laurieton, Kempsey and Macksville. We have people on the ground working everywhere. If there is a particular case where someone has not felt that that support was available, I am happy for anyone to come to me at any time and we will look at that. We have an incredible number of people—volunteers and paid personnel—on the ground working every day with supports through RFS, SES and the local health districts. This support is happening everywhere and I congratulate all these people. [*Time expired.*]

SCHOOLS ASBESTOS MANAGEMENT PLAN

The Hon. ANTHONY D'ADAM (12:40:59): My question without notice is directed to the Minister for Education and Early Childhood Learning. Given the Minister's previous answers on asbestos in New South Wales public schools, is she aware of a documented incident where a Parramatta East primary school student in April 2019 picked up fragments of suspected asbestos in the playground and took them home? What has been the Government's response?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:41:29): I thank the member for his question in relation to a specific incident at Parramatta East Public School. I do not have information related to that issue in the House with me today but I will seek some extra information as a matter of urgency and come back to the member with an answer.

ARTS AND CULTURAL PROJECTS

The Hon. WES FANG (12:41:49): My question is addressed to the arts Minister. Is the Minister aware of claims that have been made suggesting cost blowouts on Arts portfolio projects? Are they correct?

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) (12:42:26): Earlier in question time I was handed a statement that has been released to the media by the Hon. Walt Secord, which shows that he is prepared to put rubbish out into the public arena about the Arts portfolio. The member does not have the guts to come into this place with it. It is quite obvious why. If you look at the statement that the member has made—

The Hon. Walt Secord: Point of order: I was preoccupied this morning writing my speech on the Liberal Party's seventy-fifth anniversary for this afternoon, which I am looking forward to. You have ruled many times in this Chamber about props. The Minister is using props. I have been held to account on many occasions by you for using props.

The Hon. DON HARWIN: To the point of order: In respect of a prop, it is just the media release that was put out by the honourable member, which I am referring to in terms of the particular elements of the question I was asked.

The PRESIDENT: There are a number of matters. Firstly, there were way too many interjections. Secondly, members are entitled to have documents with them and are entitled to read extracts from those documents. But I have ruled previously that those documents should not be waved in the air. That was occurring. I have made that ruling in respect of the Hon. Walt Secord on a number of occasions. For consistency, I uphold the point of order.

The Hon. DON HARWIN: The suggestion in the member's press release is that there are project blowouts in the Sydney Opera House upgrade. That could not be further from the truth. The Joan Sutherland Theatre upgrade was delivered on budget and on time in an extraordinarily professional way. As I told the House a couple of weeks ago, the work that was done on disability access has won awards. There is absolutely no suggestion that any of the concert hall upgrade work will be any different. I have utter faith in Louise Herron, the CEO of the Sydney Opera House, to manage those projects. She does a great job.

In respect of the movement of the Powerhouse Museum to Parramatta, there is absolutely no cause for anyone to suggest there is a project blowout, none at all. As the honourable member will see, this project is proceeding on time, on budget. Finally the member has raised Walsh Bay. There was some comment this morning about Walsh Bay. This was a 2015 election commitment that the previous Premier Mike Baird made. It was promised that the cost of Walsh Bay would be paid for out of the electricity transactions and that is what is being delivered. Promises were made that money would be spent on arts and culture. The member has made comments on several occasions about the increased costs. It is very clear why that is. It is not because there are blowouts or bumbles. The Government decided back in 2016 to broaden the scope of the project, which was originally confined to wharf 2/3. Instead, it brought it wharf 4/5 as well at the request of the Sydney Theatre Company, the Sydney Dance Company and Bangarra. There have been philanthropic contributions from those— [*Time expired.*]

WATER MANAGEMENT

Mr JUSTIN FIELD (12:46:48): My question without notice is directed to the Minister for Mental Health, Regional Youth and Women representing the Minister for Water, Property and Housing. Minister, how many enforcement actions have been taken in relation to breaches of current water restrictions since they came into force in Sydney? What has been the average daily water consumption since water restrictions came into force?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:47:16): I thank the member for his question on Sydney's water restrictions. First, I make a brief comment about the Mayor of Orange, Reg Kidd, who was here previously, and congratulate him on the level 5 water restrictions he has had in Orange since October. His council is extremely proactive in ensuring water conservation in the area. Sydney currently has level 1 water restrictions in place and fines now apply to breaches of water restrictions. Rules included under the restrictions are: Only drip irrigation and smart irrigation systems are allowed. Businesses using water outdoors for purposes which are restricted require permits. Hoses must have a trigger nozzle, wand or other attachment with an instant on/off mechanism. Lawns and gardens can be watered only before 10.00 a.m. or after 4.00 p.m. The use of sprinklers and watering systems is not permitted except for drip irrigation systems or automated watering systems with smart controllers that automatically adjust watering details based on changing soil moisture and weather conditions.

Hosing hard surfaces such as paths and driveways is not permitted. However, you can always spot clean areas for health and safety reasons or in an emergency. Vehicles, boats and buildings can only be washed with a bucket, a hose fitted with a trigger nozzle or with high pressure cleaning equipment. I am aware the restrictions are expected to save 36 gegalitres of water each year, which is approximately four weeks of supply. To date 118 warnings have been issued and zero fines. We have average savings of 7.5 per cent since 1 June and 9.5 per cent in October alone. It is up to all of us to do what we can to save water. There is no need to wait for fines to do the right thing. Everybody has a responsibility to be conserving water in the best way that they can. It is something we are all very familiar with in rural and regional communities.

Mr JUSTIN FIELD (12:49:25): I ask a supplementary question. The Minister referred to the reductions in percentage terms in her answer. Will she elucidate if they were percentage reductions based on the average water use in the month immediately before restrictions came into place or on something else?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:49:48): I thank the honourable member for his supplementary question. As the question relates to the portfolio of the Minister for Water in the other place, who I represent, I will repeat that we have average savings of 7.5 per cent since 1 June and 9.5 per cent in October alone.

SCHOOLS ASBESTOS MANAGEMENT PLAN

The Hon. JOHN GRAHAM (12:50:10): My question without notice is directed to the Minister for Education and Early Childhood Learning. Given her previous answers in relation to asbestos in New South Wales public schools, is she aware of a documented incident in August this year where a primary school child at Scone Public School collected materials and has her department investigated the matter?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:50:34): I thank the member for his very specific question in relation to an issue at Scone Public School arising from documents provided under a call for papers. I will seek some advice in terms of that particular incident and come back to the member with an answer.

The Hon. JOHN GRAHAM (12:50:55): I ask a supplementary question. I thank the Minister for her answer. When she provides further information, will she confirm whether that material was potentially asbestos?

The Hon. Trevor Khan: Point of order: That is a new question. It does not arise out of the answer given.

The PRESIDENT: It clearly does not arise out of the answer given. In fact, it is what would be considered a part (b) of the question if it had been included in the original question. The member would have been permitted to include that in the original question, but it is clearly not a supplementary question. The supplementary question is out of order.

BEFORE AND AFTER SCHOOL CARE FUND

The Hon. LOU AMATO (12:51:58): My question is addressed to the Minister for Education and Early Childhood Learning. Will the Minister provide an update on the \$50 million Before and After School Care Infrastructure grants?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:52:18): I thank the honourable member for his question. The New South Wales Government is getting on with the job of delivering the important initiative of more before and after school care services across our State, ensuring hardworking families have access to more affordable, convenient and flexible child care services. In March, the Government made a commitment to ensure that every public primary school in metro areas in New South Wales has a before and after school care service by 2021. I am delighted to inform the House that delivery of that election commitment is on track. Over the last few months we have been working closely with

our schools, P&Cs, principals and parents as well as before and after school care providers to develop flexible and creative solutions that offer parents support and choice.

The work conducted to date includes: The reopening of the tendering process and a pilot of simplified documentation, which is something the before and after school care sector has been calling for; the launch of the Out of School Hours Care Waiver Policy that recognises that out of school hours care services on school grounds operate in different circumstances from other early childhood centre-based services because they are purpose built for school-aged children—again, something the sector has been calling for—and which allows the regulator to increase the number of regulated places available while still ensuring that quality will not be reduced; and reopening the Before and After School Infrastructure grants program on 1 July.

The Before and After School Care Infrastructure grants program currently provides an opportunity for existing before and after school care services on New South Wales school sites, government schools looking to open a new service or other not-for-profit services providing before and after school care to government primary school children to receive a grant of up to \$30,000. The \$30,000 grant is designed to create more places by funding equipment or facilities that will enable an increase in approved places where demand exists. The Before and After School Care Reform grants committee is responsible for making decisions regarding the allocation of grant funding in order to meet reform program goals and objectives. Grants committee members are determined by the Department of Education executive. The committee includes director-level nominees from relevant business units that have the requisite skills, knowledge and experience as well as representatives from the non-government school sector and the out of school hours care industry.

A number of services in Greater Western Sydney have already been approved to receive funding to create additional places and more are currently under evaluation. Applications for round one will continue to be accepted until 31 December 2019 and round two will open in January 2020. Following consultation with the community and sector, new funding criteria are under development to ensure grant funding is accessible to schools and services when and where it is needed most to create even more places across New South Wales. The Government is committed to making life easier for parents and carers and ensuring that there are opportunities for every family when it comes to quality before and after school care.

ANIMAL WELFARE

The Hon. EMMA HURST (12:55:29): My question is directed to the Minister for Mental Health, Regional Youth and Women representing the Minister for Agriculture and Western New South Wales. What organisations are actively inspecting animal saleyards to ensure compliance with animal welfare standards on a regular basis and have there been any prosecutions in the last three years?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:55:56): I thank the honourable member for her question relating to a Minister, who I represent, in the other place. Animal welfare is an issue that the Government takes very seriously. It is committed to safeguarding animal welfare, including those being presented for sale at saleyards, and providing the strongest possible regulatory framework to promote responsible animal ownership and care in New South Wales. Saleyard operators must comply with the Prevention of Cruelty to Animals Act 1979. There are three organisations authorised to enforce the Prevention of Cruelty to Animals Act 1979 in New South Wales: RSPCA NSW, the Animal Welfare League NSW and the NSW Police Force. I am advised that over the last three years, RSPCA NSW has conducted 111 inspections of saleyards, including 36 inspections in 2018-19, 31 inspections in 2017-2018 and 44 inspections in 2016-2017.

While the Animal Welfare League does not present inspection data specifically for saleyards, I am also advised that the organisation conducted 205 inspections of animal facilities, including livestock facilities, over the last three years, including 16 inspections in 2018-19, 23 inspections in 2017-2018 and 166 inspections in 2016-2017. Neither RSPCA NSW nor the Animal Welfare League reported any prosecutions at New South Wales saleyards over the last three years. However, RSPCA NSW issued three official cautions in 2018-19. I take this opportunity to give RSPCA NSW and the Animal Welfare League a big shout-out for the great work they do.

I was very fortunate to be Chair of the Responsible Pet Ownership Reference Group when I first entered the Parliament. It gave me a good insight into the incredible work that they do. It is fair work. It is hard work. It is work that means a lot to many people. The RSPCA is a wonderful organisation with many branches in country communities. It does incredible work that people feel very strongly about and feel very proud to be part of. The Cat Protection Society is run by the most incredible woman, Kristina, who is terrific; many members in this House have a great relationship with her. I thank the honourable member for her question and I hope it has been answered adequately.

OAK FLATS HIGH SCHOOL

The Hon. GREG DONNELLY (12:59:09): My question is directed to Minister for Education and Early Childhood Learning. Given community concerns about recent activities during the 2019 muck-up day, what is the Minister's response to an attack on Lucy the cow at Oak Flats High School? Does she agree with the department's assessment that the incident was "harmless"? Furthermore, how long did it take to remove the paint from Lucy?

The Hon. Walt Secord: What they did to Lucy!

The Hon. Scott Farlow: Point of order: Mr President, you have already ruled today with respect to props. I ask that you make a similar ruling with respect to the Hon. Walt Secord and his use of a prop.

The PRESIDENT: There is a clear difference. The Hon. Greg Donnelly asked his question and simply showed the photograph to the Minister in order to assist her. I do not believe that is using a prop. But for the Hon. Walt Secord to then wave the photograph around, particularly after I upheld his point of order against the Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts for doing something similar, is extraordinary. I uphold the point of order with respect to the Hon. Walt Secord. I indicate that what the Hon. Greg Donnelly did was clearly within the standing orders. The Minister has the call.

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (13:00:52): I thank the Hon. Greg Donnelly for asking about Lucy the cow and the activities on school muck-up day. He mentioned comments supposedly made by the department in relation to this issue. I will seek advice on the process and how long it took to remove the paint from Lucy.

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

Supplementary Questions for Written Answers

ENDEAVOUR SPORTS HIGH SCHOOL

The Hon. COURTNEY HOUSSOS (13:01:38): My supplementary question for written answer is directed to the Minister for Education and Early Childhood Learning and is in relation to the answer she provided about Endeavour Sports High School. Will the Minister elucidate her answer and explain whether the Government will be pursuing the contractor for the cost of the 34 guitars and 30 keyboards?

WATER MANAGEMENT

Mr JUSTIN FIELD (13:02:05): My supplementary question for written answer is directed to the Minister for Mental Health, Regional Youth and Women, representing the Minister for Water, Property and Housing. In regard to her answer about percentages, will the Minister provide the observed average water use per person and the weather-corrected average per person water demand for the months July, August, September and October this year for the Sydney Water area?

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.

SCHOOLS ASBESTOS MANAGEMENT PLAN

The Hon. COURTNEY HOUSSOS (13:03:52): Today marks the thirtieth question that the Opposition has asked about asbestos in schools and in her answers the Minister has talked consistently about the rigorous response and rigorous processes in place to manage asbestos in New South Wales public schools. That is directly contradicted by the information we have received under Standing Order 52, to which the Minister referred in her answers today, that showed after we started asking questions in budget estimates and in this House the local asset management unit operators were "frantically updating the registers". That does not go to a rigorous and robust system that is in place to manage asbestos in New South Wales schools.

In a previous answer provided on 23 October to my colleague the Hon. Walt Secord, the Minister said that the principals are effectively site managers and are responsible for administering the registers. I invite the Minister in her response to explain why the principal in question emailed to say "This is the first time" she had seen the document. Principals are not keeping the local registers. Moreover, it goes to the question of the way the Government is treating principals in our schools. We have seen consistently that the Government is trying to push its responsibilities onto principals to carry out a range of functions. They are education leaders in our schools who

are doing incredibly well. But they are only one person and it is absolutely ridiculous to require them, in addition to all their other duties, to be site managers for asbestos.

Other questions from the Opposition in question time today related to children picking up asbestos that had broken down and taking it home in their schoolbags. That is absolutely unbelievable. It is outrageous that that is happening in New South Wales schools and is not sparking greater concern from this Government or from this Minister. The Government needs to take responsibility. The Government needs to address this issue and rethink how it is managing asbestos in our public schools. [*Time expired.*]

UNCONVENTIONAL MONETARY POLICY

The Hon. WALT SECORD (13:05:47): I participate in the take-note debate in relation to an answer given by the Minister for Finance and Small Business. During question time I asked the Minister: Given evidence last month at Portfolio Committee No. 1 and statements by Reserve Bank Governor Philip Lowe and Federal Treasurer Josh Frydenberg, what is the New South Wales Government's response to community calls for governments to examine unconventional monetary policy? I was very surprised that the Minister did not have an answer and that he misunderstood the question. He spoke about taxation reform and GST at the Federal level, not monetary policy.

I was very surprised because this matter has been canvassed extensively in the public arena for the past three weeks. It was raised in budget estimates on 29 October and addressed extensively by Treasury Secretary Michael Pratt. It has been on the front page of *The Australian Financial Review* for the past two or three weeks, Reserve Bank Governor Philip Lowe has commented on it at length on three or four occasions, and the Federal Treasurer has sought a high-profile briefing from the Commonwealth Treasury on this matter. As the economic storm clouds gather over the New South Wales economy, I am very surprised that the Minister did not have a fulsome answer.

For his benefit, unconventional monetary policy is sometimes referred to as "quantitative easing", where a government intervenes to put money into the economy. What is the view of the NSW Treasury on the Reserve Bank's purchasing of government securities? How will it affect cost-of-living pressures on house prices? How will this then impact on stamp duty revenue related to house prices? Yes, there are many unanswered questions involving the Minister for Finance and Small Business. I will leave it at that.

WAGE THEFT

The Hon. DANIEL MOOKHEY (13:07:44): I take note of the answer given to the Opposition by the Minister for Finance and Small Business when he was asked what action Revenue NSW is taking to respond to community concerns that Woolworths has failed to meet its substantial payroll tax obligation following its public declaration of underpayment of its workforce. This is the latest in a series of questions asked of the Government by the Opposition about the wage theft scandal that is taking place in New South Wales and Australia-wide. I acknowledge yesterday the Minister's praise for my advocacy on this matter, and he could learn from the example. The Minister could set out precisely this Government's strategy in relation to payroll tax collection on wage theft.

Lest anyone understate the seriousness of the issue, just in the past four months we have learnt that the companies found to have been engaging in wage theft or the underpayment of their workers include Wesfarmers, Bunnings, Sunglass Hut, Subway, Qantas, Super Retail Group, Rockpool, the Commonwealth Bank of Australia, Michael Hill and 7-Eleven, and of course there is the \$300 million underpayment by Woolworths—one of the biggest employers in New South Wales. The Opposition has said multiple times that any company that engages in wage theft is committing two moral crimes: they are robbing workers of the income they have rightly earned and they are robbing every other small and large business that follows the rules.

The other point we have been making is that the third victim in all these scandals is the taxpayer, who otherwise ought to have the opportunity to collect the payroll tax that is legally owed to the State of New South Wales. Every single time, be it in this Chamber or during budget estimates hearings, we asked the Minister to stipulate what exactly the strategy is, we heard back from the Minister—as we heard today—that it was about privacy. The only conclusion we can draw from his repeated references to privacy is that he cares more about protecting the privacy of the perpetrators of wage theft and underpayments than about necessarily discharging his obligation to collect the revenue. That is the only conclusion that can be reached.

The truth of the matter is that if you are serious about creating a culture of compliance and if you are serious about creating a level playing field for all businesses, all businesses ought to have a right to know that their competitors are following the law. That is the point. Unless it is being presented as an exceptional policy, that is the Australian Taxation Office's policy when it comes to matters of taxation. The tax office discloses it every year. I am looking forward to its disclosure in December about outstanding taxes owed by taxpayers,

especially the large corporations. This debate is not going away. There is a need to examine whether there are tax transparency laws on matters of payroll tax when it comes to wage theft. We ought to expect more from this Minister, but all we see is him putting his head in the sand again and again.

The PRESIDENT: If honourable members wish to speak, they should stand up and speak and not interject. Every member has an opportunity to speak if they wish to do so, but not via interjections.

WATER MANAGEMENT

Mr JUSTIN FIELD (13:11:07): I take note of answers today in relation to water savings and Sydney Water. I put a couple of facts on the record and I look forward to getting an additional answer from the Minister. Given the extreme situation we are facing in New South Wales broadly but also here in the city—often that is forgotten—it is important to recognise how little has actually been done to address this concern. In budget estimates hearings last year we found out the lowest ever inflows into Sydney's water catchment were being predicted, but the Government did not introduce water restrictions until earlier this year. It has been able to avoid introducing tighter water restrictions by taking water from the Shoalhaven River at a greater rate than it has done historically.

In fact, the Minister for Water, Property and Housing intervened earlier this year to bring forward additional transfers from the Shoalhaven and to change the water sharing plans. She used specific powers—some of which I mentioned last night in debate on the Water Supply (Critical Needs) Bill 2019—to bring forward additional transfers. The equivalent of about 15 per cent to 20 per cent of Sydney's daily water needs are now being delivered from the Shoalhaven River. Flow rates in the Shoalhaven River have reduced to about 20 per cent of the long-term annual average. Oyster growers at the mouth of that river are complaining that their crop has had to shrink in size because of the failure of our water management system to provide for the economic needs of that river.

Instead, the Government avoids the political pain of introducing tighter water restrictions in Sydney by visiting that pain on another area. That is totally unreasonable. I welcome the enforcement of water restrictions: 118 warnings so far in the past couple of months. That is a good indication, and I hope people are fined if they breach those rules. But the percentage change that has delivered is on the margins. In fact, in reporting its figures the Government provides an observed average water use per person figure of about 324 litres a day in 2017-18. But when that is weather corrected, the figure drops to 306 litres. That is a greater percentage change than even the percentage change the Minister suggested today.

That is why I have asked for a clarification of those percentages. It is pretty convenient to use weather-corrected figures when we are in unprecedented drought and when we know that the Government uses out-of-date weather predictions and climate predictions. It is using weather-corrected figures when, in fact, we should be recognising that those extreme weather conditions have become the norm. The weather correction does not matter; what matters is the amounts that we are using based on the weather conditions today. The Government is hiding the real use of water, its failure to invest in water recycling and efficiency, and its preparedness to take from one part of the State and deliver to Sydney to avoid political pain. It is just not good enough.

UNCONVENTIONAL MONETARY POLICY

WAGE THEFT

The Hon. JOHN GRAHAM (13:14:12): I take note of answers from the Minister for Finance and Small Business in relation to Governor Lowe's comments about unconventional monetary policy. I freely confess that I was not listening to the Minister's answer while he delivered it in the House. I do not wish to give away Opposition question time tactics, but I was asked not to interject while he was answering and I find it quite hard to concentrate if I am not going to interject.

The Hon. Wes Fang: Point of order: We are taking note of answers given to questions and the Hon. John Graham has just admitted that he did not listen to the answer. I suggest that his contribution is possibly not valid.

The PRESIDENT: I have indicated on a number of occasions that previously that would have been a correct point of order as members had to refer to the answer. However, since we changed the sessional orders members may now talk about the question and matters related to the question. Clearly, the Hon. John Graham was doing that.

The Hon. JOHN GRAHAM: I then looked up to see the Minister in full flight talking about fiscal policy and taxation—that is, on a whole range of matters that have nothing to do with monetary policy or unconventional monetary policy. I share the concerns outlined by my colleague the Hon. Walt Secord for this reason: We are in uncharted economic territory in Australia at the moment. This is an important debate. I would like to hear the Minister spell out the Government's view on this issue. It is true that over the past decade

NSW Treasury forecasts, along with Federal Treasury forecasts, have overestimated what is going on in the economy with growth and wages. Some of those Federal forecasts are now changing. I do not know what the New South Wales approach will be and I would be interested to hear the Minister spell it out, particularly some of the forecasts for wage growth.

We are in uncharted territory. Other countries have had to face these challenges, but this is the first moment when Australia has to deal with these issues. I welcome the Minister expanding on these issues down the track. I note his interjection that he understands these issues, and I am sure that is right. I assure him that I will be listening closely next time he speaks in the House about these matters. Finally, I note the interchange in relation to Woolworths. I should not have asked the Minister for an opinion about whether this was the worst case, but I hoped that he would stand up and freely express that view of his own accord because it is an appalling case. [*Time expired.*]

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (13:17:19): We are struck by the rank hypocrisy dripping from the other side. I first address the observations made by the Hon. Daniel Mookhey, in which he identified that people who steal wages from workers are guilty of one of the great moral offences. Where was his outrage when Bill Shorten's union entered into an agreement to deprive people working in the services industry of \$1,800 per year in wages? Where was his outrage then? The policy in relation to revenue is one that I will keep repeating. I acknowledge the criminality of companies that engage in wage theft. That is criminal conduct and the Commonwealth Government, as I have repeated in this place on at least three occasions now, will be addressing it by way of increased criminal penalties.

Just get it for one moment, fellas: Each of the corporations identified is just that—a corporation. Their liability for criminal offences is governed by the Commonwealth. In respect of the collection of payroll tax, I repeat again that it is the policy of the Government to unremittingly pursue money that is due to the people of this State by way of unpaid payroll tax. That is the policy of the Government.

The Hon. Daniel Mookhey: No choice—you've got to do it.

The Hon. DAMIEN TUDEHOPE: Of course there is no choice but to pursue it, and we do. I address the issue of monetary policy. The hypocrisy drips because in a written question in relation to this same issue from the Hon. Walt Secord the Government provided a detailed answer—time will not permit me to read it. We addressed issues relating to savings and investment, cash flow, asset price and wealth, exchange rates, household expenses, households as lenders and low-income households. Previously in this place all those things were identified and addressed in a written response to the shadow Treasurer. To come into the House and suggest that the Government has not been addressing the issue of unconventional monetary policy is quite wrong. It is uncharted water, as the member rightly points out, when we get to zero interest rates. The Reserve Bank's levers are there. I finish by saying hypocrisy is what it is.

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

Motion agreed to.

Written Answers to Supplementary Questions

SCHOOL AIR CONDITIONING

SCHOOLS ASBESTOS MANAGEMENT PLAN

In reply to **the Hon. WALT SECORD** (13 November 2019).

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

Of the schools that have had their due diligence completed under the Cooler Classrooms Program, none have vermiculite ceilings containing asbestos.

The PRESIDENT: I will now leave the chair. The House will resume at 3.00 p.m.

Visitors

VISITORS

The DEPUTY PRESIDENT (The Hon. Trevor Khan): I welcome to the gallery a former member of this House, the Hon. Patricia Forsythe, AM, Australia's High Commissioner to New Zealand, who is accompanying the Prime Minister of the Cook Islands and other dignitaries on a visit to the New South Wales Parliament.

*Private Members' Statements***BUSHFIRES**

Ms CATE FAEHRMANN (15:01:31): On 20 February 2009, two weeks after the Black Saturday bushfires in Victoria, an opinion piece I wrote as executive director of the Nature Conservation Council of NSW was published in *The Sydney Morning Herald*. This is what it states:

When disaster strikes on such an immense scale as it has in Victoria, debate soon turns to what went wrong and how to ensure such a tragedy never happens again.

It has been disappointing to see commentators blaming "greenies" for hindering fuel reduction activities, including controlled burning.

They have played this blame game before. Similar accusations were made after the 1994 bushfires in NSW, when 136 separate fires claimed four lives, razed dozens of homes and decimated several national parks.

Out of the ashes—and several inquiries—came significant reforms to bushfire management and response in NSW. The resulting Rural Fires Act 1997 and the formation of the Rural Fire Service strengthened the protection of lives and property, while explicitly taking the principles of ecologically sustainable development into account. More than just a warm, fuzzy goal, there has been a profound shift in NSW granting protection rights to life, property and the natural environment.

Although some green groups have worked since the 1980s on bushfire management, the late 1990s marked a new level of engagement with the State Government, fire services, catchment management authorities, farmers and landholders in developing sustainable bushfire management strategies, policies and legislation in NSW.

Conservation organisations work closely with the public and other agencies to prepare landholders for fires and to give themselves the best opportunity of protecting life and assets. There is no reason these challenges cannot be met while protecting habitats for local animals and plants.

A representative from our organisation participates in most bushfire management committees across the state, and we conduct field trips and information workshops on ecologically sustainable fire management. We know that good protection measures are not necessarily the death knell for our precious ecosystems and biodiversity.

There are ways of sensitively incorporating fire into an approach that protects assets and gives flora and fauna the best chance of surviving and thriving. The risk comes when hazard reduction burning is used as a blunt instrument—affording a false sense of security to landholders, destroying ecological values, increasing the prevalence of weeds and introduced species and, in some cases, increasing the frequency of the very fires it is intended to prevent.

Land managers can use fire to protect lives and property while conserving biodiversity and respecting biological processes. We are seeing the results of this in our work with rural communities and supporting authorities such as the Rural Fire Services.

Many Australians relish the beauty and peace of living in or close to the bush. Living with fires, as most know, is an inevitable part of this choice.

A fire management approach based on sound science, asset protection and ecologically sustainable outcomes should be the standard approach in a world where the effects of climate change are now harsh reality.

BUSHFIRES AND EMERGENCY SERVICES

The Hon. SHAYNE MALLARD (15:04:44): I thank and commend firefighters across New South Wales. In the past few days we have seen and heard the stories of bravery as firefighters across the State have battled catastrophic fire conditions. The vast majority of the firefighters are volunteers in the Rural Fire Service. Together with members of Fire and Rescue NSW and NSW National Parks and Wildlife Service, they are still out there today battling the blazes, mopping up or on standby to pounce on any fresh outbreaks. Those women and men have worked tirelessly to keep the community, our homes and our State safe. They have shown us, yet again, what the true Australian spirit is.

In particular, I mention the emergency services and the Rural Fire Service in the Blue Mountains. As members would know, on Tuesday I was preparing my own home and community at Explorers Tree, west of Katoomba, for the events of that catastrophic fire day. As we all scanned the horizon for signs of fire, with eyes glued to the amazing RFS Fires Near You app, an out of control fire alert announced a blaze only four kilometres away as the southerly change brought new unpredictability to the fires. While our neighbourhood was implementing its fire and evacuation plan, the RFS helicopters brought the fire under control. Again, thanks to the fireys, the emergency was averted.

In the midst of a day of tensions, fear, bravery, hard work, volunteerism and, sadly, tragedy in some areas, what did Opposition members do, particularly in the Blue Mountains? They foolishly thought it clever to take the opportunity of a catastrophic fire emergency to play politics and issue statements attacking the New South Wales Government over alleged budget cuts to the fire services. I cannot believe that in a time of such harrowing grief when people lost their homes and everything they own and when, tragically, some people lost their lives, the Labor Party would play politics with the issue of bushfires. It is shameful.

The Labor Party tried, and spectacularly failed, to exploit this tragedy by spreading misinformation about the Government's support for our firefighting agencies. Labor's claims that the NSW Rural Fire Service and

Fire and Rescue NSW budgets have been cut are categorically false. No cuts have been made. In fact, in 2019-20, the New South Wales Government will invest a record \$1.7 billion to combat emergencies and disasters, committing an unprecedented \$105 million in extra funding to enhance rescue capabilities across the State. NSW RFS will receive a record \$541 million in 2019-20, an increase of 12.9 per cent. Fire and Rescue NSW will receive a record \$774 million, which is an increase, as well as an additional \$51.9 million for capital expenditure.

What Labor failed to understand or chose to deceive the public about was the one-off capital boosts to the RFS and Fire and Rescue NSW budgets last financial year: for example, \$17.5 million for the completion of the NSW Rural Fire Service headquarters; \$26.3 million for the purchase of a 737 large air tanker and lead planes; and \$6.8 million for additional aerial appliances. Furthermore, the NSW RFS Commissioner, Shane Fitzsimmons, said:

Not only has our budget not been cut, we are enjoying record budgets. We have got more money today than we have ever had before in the history of the organisation.

The Labor member for the Blue Mountains, Trish Doyle, has been at the forefront of that misinformation in the local media. She should apologise to the community and emergency services and correct the record immediately.

BUSHFIRES

The Hon. PETER PRIMROSE (15:07:54): In times of disaster, events can be so challenging and overwhelming that they almost do not seem real until they affect you or people you care about. So it was for me when, with horror and dismay, I read a Facebook post from one of my oldest friends, Paul Sekfy. From a safe location with his family, Paul was watching the glow of a bushfire a few kilometres away that was consuming his Yarranbella home and those of his neighbours on the mid North Coast. His simple, factual statement was made with little emotion but it made the horror of what was occurring very real. Thankfully, Paul was eventually able to return to his property. Although some surrounding sheds burnt down, his house remained standing. A miraculous intervention had occurred. The incredible beings who saved Paul's home even left a handwritten message on some notepaper on his kitchen bench. It stated:

It was a pleasure to save your house. Sorry that we could not save your sheds.

Urunga Rural Fire Service.

PS: We owe you some milk.

In response, Paul posted on social media his own simple message. He said it was "the best note on my kitchen bench since the morning after my wedding". Of those firefighters who wrote the note, whom Paul praised as heroes and milk sneaks, he simply said, "I owe them a couple of cartons of milk—and my ongoing gratitude." Caring about the wellbeing of strangers, even to the point where you risk your own life on their behalf, really is the pinnacle of what it means to truly be a decent human being. We owe all of those who do so our deepest thanks and gratitude—and as much milk as they want!

BUSHFIRES

Mr JUSTIN FIELD (15:10:01): I want to talk about leadership in the face of crisis. To do that today I will contrast the words of some genuine community leaders with the words of some so-called political leaders. I will start with the Mayor of Glenn Innis, Carol Sparks, who lost her home in the fires this week and whose community lost people. She said:

Already there are armchair experts ready with free advice about meeting with disaster. Let it be made perfectly clear that all the area that burned has already been a fire ground for two months. There were hazard reduction in back burns under state authority last month and last year.

I'll put my 20-year Rural Fire Service medal up against your free advice any day of the week.

The anger is real. The anger is justified. Because this disaster was all foreseen and predicted. For decades the link between a hotter, drier climate, land-clearing, excessive irrigation and increased fire risk have all been attested in scientific papers.

Greg Mullins, who is a former Fire and Rescue NSW Commissioner, had this to say:

In the past I have heard some federal politicians dodge the question of the influence of climate change on extreme weather and fires by saying, "It's terrible that this matter is being raised while the fires are still burning." But if not now, then when?

He went on to state:

Warmer, drier conditions with higher fire danger are preventing agencies from conducting as much hazard reduction burning – it is often either too wet, or too dry and windy to burn safely. Blaming "greenies" for stopping these important measures is a familiar, populist, but basically untrue claim.

I will contrast the words of those two community leaders with political leaders. I begin with Barnaby Joyce, a former Nationals leader, who said:

There are a range of things that affect the climate ...

There's just the oscillation of the seasons. There's a change in the magnetic field of the sun.

The response to those comments from Associate Professor Nerilie Abram was that his comments were "ludicrous and grossly ill-informed". I will quote comments from the very same member for New England, Barnaby Joyce:

We haven't had the capacity to easily access (hazard) reduction burns because of all the paperwork that is part of green policy.

We don't have access to dams because they have been decommissioned on national parks because of green policy. We have trees that have fallen over vehicles and block roads, so people cannot either get access to fight a fire or to get away from fires. And we can't knock over the trees because of Greens policy.

The New South Wales Deputy Premier stated:

For any bloody greenie or lefty out there who wants to talk about climate change ... when communities in the next 48 hours might lose more lives (then) they are a bloody disgrace.

I contrast his comments with the comments of the former Fire and Rescue NSW Commissioner to which I referred earlier and who was talking about that very thing. The New South Wales Deputy Premier, John Barilaro, also stated, "We can't be dictated to by a green-left ideology that advocates locking up bushland and leaving it." The Deputy Prime Minister, Michael McCormack, stated, "They don't the ravings of some pure, enlightened and woke capital city greenies at this time ..." In a crisis we get to see the real nature of people. Some people lead. This week the current crisis has shown that many of our so-called political leaders do not.

EUGOWRA SHOWGROUND

The Hon. SAM FARRAWAY (15:13:02): My first few weeks of being a member of the New South Wales Legislative Council have been busy. As The Nationals duty MLC for western New South Wales, when I am not here in Sydney sitting on committees or in this Chamber, I am in my car travelling to communities across the west of our State to meet with locals and to talk about the issues that matter most to them. Last week those travels took me to the town of Eugowra, which lies in the Lachlan River Basin in the electorate of Orange.

It was my pleasure to represent the Minister for Water, Property and Housing on this visit and to congratulate the Eugowra Show Society on receiving \$172,150 through the Crown Reserves Improvement Fund. It is great to see that through the 2019-20 Crown Reserves Improvement Fund the New South Wales Government will invest over \$862,000 in upgrading and maintaining local community facilities and reserves across the electorate of Orange. The money will be put towards a much-needed revitalisation of the local showground pavilion, including a new roof, electrical wiring, exterior walls, doors and windows.

Like many showgrounds across regional New South Wales, the showground is a hub of activity for the local community and surrounding areas. From weddings to annual general meetings this pavilion has seen a lot in its lifetime. Upgrading the pavilion not only will benefit the showground and support community functions but also will provide a safe, comfortable and appealing facility for a variety of users including the show society, pony and harness racing clubs, local schools and sporting groups. I thank the Cabonne Council, particularly Deputy Mayor Jamie Jones, and President of the Eugowra Show Society, Sean Hayes, for their hospitality on the day and for giving me a run-down on what their plans are for the showground precinct. The show must go on, and I cannot wait to see this upgraded pavilion brought back to its former glory when I attend the Eugowra Show in September next year.

UNIVERSITY OF NOTRE DAME

The Hon. GREG DONNELLY (15:15:05): Notre Dame is a private Catholic university extending from the west coast of Australia in the historical city of Fremantle to the north-west town of Broome and across the continent to the heart of Sydney. Today Notre Dame has more than 12,000 students across three campuses. The university embraces the ancient and esteemed traditions of Catholic universities in Europe, North America and the 2,000-year-old Catholic intellectual tradition. It welcomes people of all faiths or none at all. As an academic community it welcomes open and rigorous inquiry, debate and discussion. The Sydney campus opened in 2006 and is located adjacent to St Benedict's Catholic Church, Broadway. In 2008 facilities were opened in Darlinghurst, opposite St Vincent's Hospital to provide for the training of medical and nursing students. Notre Dame has clinical schools at St Vincent's Hospital, the Auburn Hospital, the Hawkesbury District Health Service, the Lithgow Hospital and Calvary Health Care Riverina.

Last night the university held an event at its Sydney campus to mark the tenth anniversary of awarding degrees in New South Wales. In his speech the Chancellor, the Hon. Chris Ellison, reflected on the last 10 years of the university's presence in Sydney. He noted that 2008 saw the graduation of 118 students. In 2020 the Sydney

campus is expected to have close to 900 graduates. There are now over 7,000 alumni from the Sydney campus. The University of Notre Dame Australia continues to excel in the Federal Government's nationwide *Quality Indicators for Learning and Teaching Graduate Outcomes Survey 2019*. In the survey results released on 7 November Notre Dame scored a 90.8 per cent rating for overall satisfaction among undergraduates. This is well above the national average of 79.9 per cent and positions Notre Dame as the number one university nationally for overall satisfaction. This is a significant achievement for such a young university.

In February next year Professor Francis Campbell will commence as the next vice-chancellor. He brings with him his experience as vice-chancellor at St Mary's University, London, and a distinguished career as the United Kingdom's Ambassador to the Holy See. On behalf of the House I congratulate Professor Francis Campbell on his appointment as vice-chancellor and offer our best wishes to him and the university. May it continue to grow and thrive—not just here in New South Wales but across Australia.

TURKEY WELFARE

The Hon. EMMA HURST (15:17:36): For many of us Christmas is a time of joy spent celebrating the year together with family and friends, but for young turkeys Christmas has an entirely different meaning. It is the reason they are artificially bred, intensively farmed and then brutally slaughtered. Christmas, for them, is a death sentence. On average, Australians eat approximately one kilogram of turkey flesh per person per year, the majority of which is consumed during a single week at Christmas. Turkeys in factory farms are no longer bred naturally. Industry has bred them to be so unnaturally large and heavy that they are physically unable to mate. Instead, male turkeys are manually masturbated by farm workers up to once or twice a week for semen and the females are forcibly artificially inseminated.

Young turkeys born into the industry will never know their parents. They are hatched alone in incubators, not under their mothers' loving wings. Despite being recognised as social and sensitive birds, these animals are stripped of their ability to learn and seek comfort from their mothers, whom they are naturally dependent upon. Instead, newborn chicks are left without any support. After this traumatic start to life, these birds are then desexed, de-beaked and de-toed—all without pain relief. Their snoods are sliced off.

Turkeys in intensive factory farms are forced to live out their unnaturally short lives in filthy, crowded sheds surrounded by thousands of other birds. As they grow the sheds become more cramped, giving these birds little room to move. The litter on the floor is not cleared so excrement builds up, creating large amounts of ammonia that blisters their skin and their feet. Because these birds are bred to grow at an unnaturally fast rate and to a size never seen in the wild, many turkeys suffer from deformed legs and inflamed joints. Some are even too lame to reach food or water and starve to death.

As the excess weight puts strain on their organs and the noxious smell of ammonia builds up around them—causing painful lung problems—birds suffer from hypotension, vasodilation and arrhythmias, risking sudden death. Then, at just three months of age, these oversized, deformed baby birds are sent to slaughter. They are grabbed by their legs and stuffed into crates—one on top of another—where they find it difficult to breathe. These turkeys are then hung up and their heads passed through an electrified water bath in what is often an unsuccessful attempt to render them unconscious. If they lift their heads, they will not be stunned and if their long wings touch the water instead they will suffer painful electric shocks. Conscious or unconscious, their throats are cut with a mechanical blade before they are defeathered in a scalding tank. This whole process is undeniably horrific—and all for a Christmas dinner.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): Well, merry Christmas.

UNEMPLOYMENT RATE

The Hon. MARK LATHAM (15:20:44): Earlier today the Australian Bureau of Statistics announced that the New South Wales unemployment rate moved upwards in October, with the loss of 23,000 jobs. I fear this is a worrying trend for the future. We have recently seen the CommSec analysis that New South Wales has dropped to third on the national economic league table behind Victoria and Tasmania. I have noticed, in consultation with industry and the business sector, a crisis of confidence around investment and investment certainty in New South Wales. Many companies are asking: Why invest in New South Wales? The Australian Energy Market Operator is warning about the heightened risk of blackouts in the medium term.

The Information and Privacy Commission [IPC] is making not only incompetent but sometimes illegal decisions, driving mining investment away from the State. The IPC, under the so-called leadership of "Calamity" O'Kane—and I am glad that the Government is revising that and they need to do it very quickly. We have got rising congestion costs in Sydney. We have got the impact of the drought made worse by faulty water policy as I outlined earlier in the week. We have got the dreadful slowness of local government approval processes for the State and productivity has dropped below 1 per cent.

Naturally businesses are asking: Why invest in New South Wales? I am concerned that this rising unemployment trend—the loss of 23,000 jobs—is a sign of worse to come. The public—the taxpayers—would expect that inside the Government the head of the NSW Department of Planning, Industry and Environment would be working 24/7 to address this crisis of investment confidence and certainty, but no. I have been given a staff email dated 1 November, where Mr Jim Betts writes:

Happy Friday from sunny and hot Wagga Wagga where I am in town to start the first of the leadership team series of staff town halls and workshops. On Wednesday I was privileged to attend the New South Wales Secretaries Board meeting ...

So that is a big work priority for this guy. The email continues:

... to hear a proposal to establish an LGBTIQ+ network for the New South Wales public service.

He says he is proud to be the sponsor of the proposal and thrilled to announce that this proposal was unanimously endorsed by the Secretaries Board and work will now begin on establishing the network over the coming months. I do not believe people need to bring their whole self to work. If they want to leave their sexuality at home, that is their business. I do not believe people in the New South Wales public service would be judged by their skin colour, their gender or their sexuality. They would be judged by their work ethic and their effectiveness. The number one priority for this department should be to get jobs and investment moving in this State. The sexualisation of the workplace has no place in this country. Under Australian principles of a fair go, this is the wrong priority and if Mr Betts is working overtime on this no wonder unemployment is going up.

ARMIDALE WATER SUPPLY

The Hon. DANIEL MOOKHEY (15:23:45): Armidale is just 400 days from "day zero", when the city runs out of water. Last week I visited Armidale—the city I was married in—with the Leader of the Labor Party, Jodi McKay. We were there to listen to the stories of residents and businesses about their first-hand experiences of this unprecedented drought. We met with Nene of Furballz Grooming and Care Centre. Nene services the dogs of Armidale, washing and grooming pets and working dogs. She hires four staff from the local area. To give back to her community, she also runs work experience programs for students and those with a disability. Nene took the initiative to aggressively drought-proof her business earlier this year. She has been using new methods to save water but she fears the day town runs dry. She worries about her staff and the families she services. She does not want to let anyone go or close her doors but that is a reality she is facing if Armidale runs out of water.

We also heard from Anthony and Michelle from the Armidale Business Chamber. As regional residents are tightening their belts so are our small businesses, they said. The Chamber told us that many businesses have already shut down and that young people want to stay in Armidale but job opportunities are looking grim. We also met with Pam, Ruth, Lorraine and Eileen from the local Country Women's Association and they provided us with some heartbreaking stories. They told us about one woman who cut her hair, fearing she would not have enough water to wash it every week. Showering every three days is now the new normal for many local families in Armidale. I took many a shower in a bucket last week so my mother-in-law was able to use the greywater on her garden.

Labor stands with the Country Women's Association and its calls for broader support for residents and small businesses. We thank them for meeting with us and for their ongoing support of their communities in these tough times. We also met with Armidale City Council, which is doing all it can to support the community. I want to thank the councillors we met with—Mayor Simon Murray, Deb O'Brien, Brad Widders, Dorothy Robinson, Peter Bailey and Margaret O'Connor. Their work is commendable. Some are yet to grasp the effects that this drought has on cities like Armidale. Compassion can no longer stop at the farm gate when it comes to drought assistance. It must now extend to those regional main streets and high streets grappling with drought.

Small businesses are not immune from the downturn in economic activity in regional New South Wales. The bakeries, mechanics, bookstores, florists, cafes and dog groomers like Nene deserve our assistance. They should be able to ask for an emergency loan from the State Government's Drought Assistance Fund. Now the New England region is confronting unprecedented bushfires as well. Our sympathies on the Labor side remain with them in this extremely difficult time.

DOMESTIC AND FAMILY VIOLENCE

The Hon. MICK VEITCH (15:26:26): In Australia a woman dies every week because of family and domestic violence. Some women were killed while at work. Many of these women were employed and really needed time away from their job. Most did not have access to paid family and domestic violence leave. Family and domestic violence is the leading cause of death, disability and illness among women aged between 15 and 44 years, greater than cancer or heart disease. And yet access to paid leave is limited. Paid family and domestic violence leave will save lives. The estimated cost of introducing a minimum 10 days paid family and domestic violence leave in the National Employment Standards is just 5c per day per worker.

The estimated cost of family and domestic violence to the economy is \$12.6 billion per year. When 800,000 women in work have experienced sexual or family violence access to 10 days paid leave is crucial. Paid family and domestic violence leave means a woman can take time off work to access support services to assist her in leaving a violent situation. The woman can attend court, doctor's appointments, meet with real estate agents and change her children's school, all without the fear of losing her job. The We Won't Wait campaign is trying to win this paid domestic violence leave in the National Employment Standards, providing this entitlement for all employees. The campaign has already successfully secured this for the New South Wales public sector.

The International Day for the Elimination of Violence against Women is 25 November. It will also mark the start of the United Nations declared 16 days of action against gendered violence. Unions NSW will also be taking part in this 16 days of action against gendered violence. The New South Wales Government announced the introduction of paid domestic violence leave for New South Wales public sector employees this time last year. It is time for the State Government and all MPs to pressure their Federal colleagues to introduce the same legislation for everyone. We cannot separate domestic violence out of the workplace because it affects people's lives wherever they are.

Every day that we wait to get this done is a day when more victims suffer and cannot get the help they need. I thank all the people on the forefront of the We Won't Wait campaign, many of whom are front line staff in services across this State. You see firsthand the devastating impacts domestic violence can have on families and how women deserve this leave to help them get their lives back on track. The safety of families must be a priority for all in this Chamber and for all of Australia.

BUSHFIRES AND ANIMAL WELFARE

The Hon. MARK PEARSON (15:29:10): Fires do not discriminate. One of my earliest memories, back in 1993 in the animal rights movement, was going out with a previous member of this place to look for injured animals after fires had gone through Port Stephens. We were looking to bring in koalas, but I will never forget the sight of a sheep that was lying burnt and in agony next to a fence line. We stepped over the sheep at first because we were looking for koalas, but then I looked back at the sheep and told my colleagues that that animal deserved the same protection and consideration as the protected wildlife. After much heated debate, so to speak, I contacted the police. The police came and shot that sheep.

Fires are devastating and cruel. Both humans and animals suffer terribly. Battling and surviving bushfires is part of Australian folklore. We all know of someone who has lost their home, their livelihood or worse. If you live in a rural community or on the urban margins you have a fire plan that includes evacuation when it becomes clear that the flames are too fierce or the wind is too strong to fight. Animals caught in fires do not have that choice. I have been pleased to see in the past few years that local and emergency authorities are providing more evacuation space allocated to animals, including large animals such as horses, so that residents are not forced to abandon them to their fate in fires. Social attitudes are changing and we now recognise that it is not acceptable to leave behind the family pet or the chooks.

Sadly, we still do not treat farm animals in the same manner. We hear of the devastation of sheep farmers who "lost" 3,000 sheep in a fire but the story is only told from the human perspective—economic loss and the trauma of seeing dead and dying animals. The story glosses over the individual suffering of each and every sheep. Farmed animals cannot escape their barbed wire enclosures. I can only imagine their terror and pain as fire encircles and engulfs them. It never ceases to distress me when media reports blithely state X number of houses were burned down with stock losses but no lives lost. All lives matter. Until recently, native animals were completely absent from our bushfire folklore. The breakthrough moment was when Sam the Koala, emerged from the Mirboo forest during the Victorian Black Saturday fires in 2007. The image of a firefighter giving burnt and dehydrated Sam a drink from his water bottle went global. Humanity is now being considered and brought to animals as well.

Senate

SENATE VACANCY

The DEPUTY PRESIDENT (The Hon. Trevor Khan): I shall now leave the chair for the joint sitting. The business of the House will be suspended during the joint sitting. The House will resume at the conclusion of the joint sitting following the ringing of the bells.

[The Deputy President (The Hon. Trevor Khan) left the chair at 15:32.]

*Joint Sitting***ELECTION OF A SENATOR**

The two Houses met in the Legislative Council Chamber at 15:49 to elect a senator in the place of Senator the Hon. Arthur Sinodinos, AO, resigned.

The CLERK: I call for nominations for President of the joint sitting.

Ms GLADYS BEREJIKLIAN: I move:

That the Hon. John George Ajaka, President of the Legislative Council, act as President of the Joint Sitting of the two Houses of the Legislature for the election of a senator in place of Senator the Hon. Arthur Sinodinos, AO, resigned, and that in the event of his absence the Hon. Jonathan Richard O'Dea, Speaker of the Legislative Assembly, act in that capacity.

Ms JODI McKAY: I second the motion.

The CLERK: The question is that the motion of the Premier as seconded by the Leader of the Opposition be agreed to.

Motion agreed to.

The Hon. John George Ajaka took the chair.

Ms GLADYS BEREJIKLIAN: I present proposed rules for the regulation of the proceedings of the joint sitting, which have been printed and circulated. I move:

That the proposed rules as printed and circulated be now adopted.

Ms JODI McKAY: I second the motion.

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

Motion agreed to.

The PRESIDENT: I will now receive nominations with regard to a person to fill the vacant place in the Senate caused by the resignation of Senator the Hon. Arthur Sinodinos, AO.

Ms GLADYS BEREJIKLIAN: I propose Major General Andrew James Molan, AO, DSC (Ret'd), to hold the place in the Senate rendered vacant by the resignation of Senator the Hon. Arthur Sinodinos, AO. I announce that the candidate is willing to hold the vacant place if chosen. Senator the Hon. Arthur Sinodinos, AO, was at the time he was chosen by the people of the State publicly recognised to be an endorsed candidate of the Liberal Party of Australia and publicly presented himself to be an endorsed candidate of that party. Major General Andrew James Molan is a member of the same political party.

The Hon. DON HARWIN: I second the motion.

The PRESIDENT: Does any member desire to propose any other person to fill the vacancy? As no other person has been proposed, the question is that Major General Andrew James Molan, AO, DSC (Ret'd), be chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Hon. Arthur Sinodinos, AO.

Motion agreed to.

The PRESIDENT: I declare that Major General Andrew James Molan, AO, DSC (Ret'd), has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Hon. Arthur Sinodinos, AO.

Ms GLADYS BEREJIKLIAN: I move:

That the President inform Her Excellency the Governor as soon as practicable that Major General Andrew James Molan, AO, DSC (Ret'd), has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Hon. Arthur Sinodinos, AO.

The Hon. DON HARWIN: I second the motion.

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

Motion agreed to.

The PRESIDENT: I now declare the joint sitting closed. **The joint sitting closed at 15:54.**

[*The House resumed at 16:04.*]

*Senate***ELECTION OF A SENATOR**

The PRESIDENT: I announce that at a joint sitting of the two Houses held this day, Major General Andrew James (Jim) Molan, AO, DSC (Ret'd.), was elected to fill the vacant seat in the Senate of the Commonwealth of Australia caused by the resignation of the Hon. Arthur Sinodinos, AO. I table the minutes of proceedings of the joint sitting.

The Hon. NATASHA MACLAREN-JONES: I move:

That the document be printed.

Motion agreed to.

*Visitors***VISITORS**

The PRESIDENT: On behalf of all members, I welcome into the public gallery representatives from Girl Guides Australia and the World Association of Girl Guides and Girls Scouts from across the world and Australia, guests of the Minister for Mental Health, Regional Youth and Women.

*Documents***NSW POLICE FORCE****Production of Documents: Order**

Debate resumed from an earlier hour.

Mr DAVID SHOEBRIDGE (16:07:53): As my colleague Ms Abigail Boyd pointed out, The Greens support the Hon. Robert Borsak's motion. A couple of elements in the motion will be essential to provide transparency when the documents are produced. The first is the "Lessons learnt" internal report from November 2018 regarding strip searches. It should be in the public domain to identify exactly what, if any, lessons the NSW Police Force learnt when it undertook the review. The other document is the "Authorised strength" report by police area command and police districts as at today. An order under Standing Order 52 should not be required to bring that information in the public domain. The complete absence of transparency when dealing with the NSW Police Force is frustrating.

The Hon. Robert Borsak and I may want to look at the documents for different reasons but both of us think it is entirely appropriate for the public to see the report on the independent review of the "genuine reason" test and how it was applied to silencers and suppressor permits. Why is this not already in the public domain? Why are all these documents not automatically published by the police as part of their obligations under the Government Information (Public Access) Act? Why is the information commissioner not auditing the police and their complete lack of transparency and providing some advice and reports to Parliament about the failure of the police to proactively publish this type of material? It should not take Standing Order 52 to get this material into the public domain. The Greens support the motion.

The Hon. ROBERT BORSAK (16:10:01): In reply: I note the Leader of the Government's comments include the same old lame and hackneyed excuses. They are nothing more than the tried and tested arguments it has used many times in this Parliament to abrogate its responsibilities to hand over the documents it has been compelled to. The documents requested under this order for papers are in no way related to any operational activity of the NSW Police Force. They relate to documents used as guidelines for adjudication on various matters and cannot in any way be interpreted as police "operational". They are administrative in nature and used in the Firearms Registry, an administrative department of the police force. There is no reason for refusing to hand them over. They are a matter of public interest and it is up to this House to determine whether they should be handed over, not the Leader of Government.

It is in the public interest and in the interest of this democratic House that these documents be made available. The Firearms Registry is not exempt from transparency rules that apply to every level of government, just because they are an agency of the police force. In the past I have called on the Government to legislate for the creation of a firearms licensing ombudsman, and they have refused this reasonable request. The last thing they want is fairness. The Minister referring to the NSW Civil and Administrative Tribunal and the courts is a joke and an uneven competition, and he knows it. No shooter with legitimate concerns ever wins in those jurisdictions. The police literally outspend the appellant and win 99 per cent of the time. Even when a judgment goes against the commissioner, they rarely, if ever, comply with the judgment at all. A good example is a case where a licensed shooter won a court order for his firearms to be returned and they never were.

The police never act as a model litigant. We are not talking about granting firearms licences or firearms to the wrong people or criminals, as the Minister well knows. Trust must be restored between shooters and the Firearms Registry. Service must be provided, rather than running a process of just tolerating and judging potential people like me as criminals in waiting. The Government and this Minister in particular are once again showing utter contempt for the New South Wales Parliament and the democratic processes of this House. We will press this call for papers and others until such time as the Firearms Registry is properly resourced, fairly managed and trusted by its customers. We have a long way to go. If necessary, should the Government fail to comply again, I will move a motion of contempt of Parliament against the Leader of the Government in this House. I commend the motion to the House.

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

The House divided.

Ayes22
Noes15
Majority.....7

AYES

Banasiak, Mr M
Buttigieg, Mr M (teller)
Faehrmann, Ms C
Houssos, Mrs C
Mookhey, Mr D
Nile, Revd Mr
Searle, Mr A
Veitch, Mr M

Borsak, Mr R (teller)
D'Adam, Mr A
Field, Mr J
Jackson, Ms R
Moriarty, Ms T
Primrose, Mr P
Secord, Mr W

Boyd, Ms A
Donnelly, Mr G
Graham, Mr J
Latham, Mr M
Moselmane, Mr S
Roberts, Mr R
Shoebridge, Mr D

NOES

Amato, Mr L
Farlow, Mr S
Harwin, Mr D
Mallard, Mr S
Taylor, Mrs

Cusack, Ms C
Farroway, Mr S.J. (teller)
Khan, Mr T
Martin, Mr T
Tudehope, Mr D

Fang, Mr W
Franklin, Mr B
Maclaren-Jones, Mrs (teller)
Mitchell, Mrs
Ward, Mrs N

PAIRS

Sharpe, Ms P

Mason-Cox, Mr M

Motion agreed to.

SCHOOL AIR CONDITIONING

Production of Documents: Order

The Hon. COURTNEY HOUSSOS: I move:

That private members' business item No. 365 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. COURTNEY HOUSSOS (16:21:24): I move:

1. That, under Standing Order 52, there be laid upon the table of the House within seven days of the passing of this resolution the following document in the possession, custody or control of the Department of Education:
 - (a) the list of the mean temperature of New South Wales public schools which applied for the Cooler Classrooms Fund in round one and round two.
2. That, under Standing Order 52, there be laid upon the table of the House within 21 days of the passing of this resolution the following documents in the possession, custody or control of the Department of Education:
 - (a) the application forms of the 900 public schools that have been submitted in round one of the Cooler Classrooms Program;

- (b) the application forms submitted by public schools in round two of the Cooler Classrooms Program; and
 - (c) all correspondence between School Infrastructure NSW and Parents and Citizens Associations regarding the Cooler Classrooms Program.
3. Any legal or other advice regarding the scope or validity of these orders of the House created as a result of this order of the House.

I will keep my remarks brief, given that my voice is about to give out. I have moved private members' business item No. 365 which relates to an order for papers regarding the Cooler Classrooms Fund rounds one and two. This is an issue that we have pursued through budget estimates and also through questions in the House. This was a key commitment from the Government. We are pursuing the rollout of this program as a matter of public interest and we believe that this information will assist us in the pursuit of that matter.

The Hon. NATALIE WARD (16:22:44): The Government opposes this motion. As the Minister has repeatedly said in this House, the Government is delivering a \$500 million program over five years to fund the installation of air conditioning and fresh air ventilation in public schools. It will occur over five years and we have been clear about that. More than 900 schools will receive air conditioning and fresh air ventilation as a result of this unprecedented \$500 million funding boost, which is the largest investment of its kind in the history of New South Wales. This program is being delivered thanks to the New South Wales Liberals and Nationals and we are incredibly proud of it.

In what is becoming an alarming pattern, we are yet again debating a pointless order for papers. I understand the Minister's office offered to provide the Opposition directly with the full list of schools that applied for funding under rounds one and two of this program as well as their mean January temperature so that this order for papers under Standing Order 52 would not be necessary. We have offered to provide the information. The Minister has also previously provided the Opposition with a full list of schools at which the program is currently being delivered and the delivery dates for each school. Given this, why are we now having this argument? I note that the Minister has always been happy to work collaboratively with members and provide them with the information that they seek. Frankly, the motion is a waste of time, especially for the school infrastructure staff who will need to stop what they are doing to fulfil this frivolous order for papers. School Infrastructure NSW was established to deliver projects such as Cooler Classrooms, not to go on paper-gathering expeditions for Labor.

The Minister has made it clear to members of this House that if they put forward pointless calls for papers under Standing Order 52 they would delay project delivery teams. But this is hardly surprising from an Opposition that cares more about political pointscoring and fearmongering than actually delivering for students in New South Wales. The motion asks for the application forms for schools that have already had their projects approved and for the application forms for projects that have already been delivered. What is the purpose of this sort of motion except to waste time and fish for information?

The Minister said that the delivery of this program into school communities would be a five-year process. This was stated at the outset and it is no surprise. We promise things and we deliver them. We have done it on all of our other projects. The Government is doing the work. There is a full list indicating which schools have undergone extensive audit and due diligence processes, which ones are in the construction phase and which ones have yet to be completed. The list has been made available because we have nothing to hide. We are rolling out the program and that is what will be delivered to schools across the State. I oppose the motion.

The Hon. WALT SECORD (16:25:37): I will make a brief contribution to this debate. I was not going to speak on the motion until I heard the contribution of Parliamentary Secretary Natalie Ward. Clearly this is a major election commitment and we know from principals, schoolteachers and whistleblowers within the Department of Education that this project, plan and election commitment is way behind schedule. These documents will show us what the roadblocks are, what is causing the problem and why the Government is not able to provide the most basic infrastructure. This will provide a road map and a way forward so that we can remove the obstacles which are blocking the Government from providing this key election commitment. This motion is even more urgent given that summer is coming. Again, I commend the motion to the House.

The Hon. COURTNEY HOUSSOS (16:26:37): In reply: I will be brief. Characterising this order for papers as frivolous is absolutely absurd.

The Hon. Walt Secord: It is offensive.

The Hon. COURTNEY HOUSSOS: It is offensive. This is a carefully considered motion. This is important information that should be on the public record. Only yesterday an op-ed appeared in *The Sydney Morning Herald* opinion pages which talked about research showing that educational outcomes decrease with every degree hotter that a classroom gets. This is not only bad for students but also for staff. This was a key election commitment from the Government and we think it is being rolled out too slowly. That is certainly the

view of the community. We will continue to monitor the rollout and the schools that are being prioritised for the rollout. The Government has simply said that it is going to take five years and it has told us to wait. We have extensively canvassed this issue at other times in this House, but the idea that a child starting kindergarten next year would have to wait until they are in year 4 for the funding to eventuate is absolutely ridiculous. The public has the right to access this information and to know to how quickly the program is being rolled out and where it is being prioritised.

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

Motion agreed to.

Motions

BUSHFIRES AND CLIMATE CHANGE

Mr DAVID SHOEBRIDGE: I move:

That private members' business item No. 358 outside the order of precedence be considered in a short form format.

Motion agreed to.

Mr DAVID SHOEBRIDGE (16:29:21): I move:

1. That this House notes that:
 - (a) in October 2019 Glen Innes Severn Council declared a climate emergency;
 - (b) in doing so it heeded advice from decades of carefully considered scientific reports and the experience of fire controllers; and
 - (c) in November 2019 out-of-control bushfires burned thousands of hectares around Glen Innes and devastated the township of Wyaliba, destroying houses, the local school and resulting in the tragic loss of three lives.
2. That this House recognises that:
 - (a) right now communities across the State are suffering and deserve our collective support and ongoing protection;
 - (b) for decades experts have warned that climate change would lead to ever more catastrophic fire seasons;
 - (c) local councils across New South Wales are at the frontline of this increasing threat and have been responding accordingly with climate emergency declarations and comprehensive bushfire plans for local residents;
 - (d) in 2019 a record 74 local government areas commenced their fire season before the official 1 October start because of the impacts of climate change on the conditions across New South Wales; and
 - (e) the increased fire season significantly reduced the period in which hazard reduction fires could be undertaken, as a direct result of climate change.
3. That this House commends:
 - (a) the Rural Fire Service, State Emergency Service, and the many other involved organisations and thousands of community volunteers who have been responding to this bushfire disaster; and
 - (b) community leaders across New South Wales such as Mayor of Glen Innes Carol Sparks who have stood up for their communities and demanded action on climate change to ensure that this catastrophic fire season is not the new normal.

The Greens believe it is essential we debate this motion today. Some people will say now is not the right time to talk about climate change and the fires. I have heard that discussion. Now is not the time to scream and yell about this, but now is the time to speak the truth about these matters and to listen with respect to the voices of the experts and the people in rural and regional New South Wales who are suffering. I cannot do better than putting on the record the words of Carol Sparks, Mayor of Glen Innes, who has been in the Rural Fire Service for 20 years. Her township and her community are suffering the brunt of this. I will read briefly from her comments:

Within our borders we have seen a magnificent, humane and unstinting response from the Rural Fire Service, State Emergency Service, Red Cross, Salvation Army, NSW Police, Glen Innes Severn council employees, fellow councillors, the deputy mayor, Dianne Newman, and hundreds of community volunteers who for months now have done everything from sweep gutters to pitch tents to butter bread for sandwiches.

Throughout this time every effort has been made to prepare and defend both private and public properties in my community of Wyaliba, NSW, which last week succumbed to merciless physics that pay no heed to opinion, nor folklore, nor politics.

She goes on to say:

While all this is a personal tragedy for my family and myself, it is but one story within an unfolding statewide and global disaster, about which our community deserves nothing less than the honest and unvarnished truth.

There are already those who, following such statements, will aim to shoot the messenger. To those people I say this: take your best shot, for I have already been through hell and there is nothing you can say or do that can touch me now.

But for the sake of the future, for the sake of our community and the rising generation who will inherit this scorched Earth, one can only hope there will be enough people remaining who retain the common decency to listen, to heed the cries of those in harm's way, who will now together take decisive and collective action to save our ecosystem and our civilisation from collapse.

She says further:

Already there are armchair experts ready with free advice about meeting with disaster. Let it be made perfectly clear that all the area that burned has already been a fire ground for two months. There were hazard reduction and backburns under state authority last month and last year. The properties were all well-prepared and extensively defended. People who have lived with fire risk for decades knew exactly what to do, and they did it. The full expertise and advice of fire controllers has been heeded at every turn.

I'll put my 20-year Rural Fire Service medal up against your free advice any day of the week.

The anger is real. The anger is justified. Because this disaster was all foreseen and predicted. For decades the link between a hotter, drier climate, land-clearing, excessive irrigation and increased fire risk have all been attested in scientific papers.

Equally for decades there have been those who insist they know better. Their ignorance and arrogance have delivered us only ashes—

[*Time expired.*]

The Hon. SCOTT FARLOW (16:34:39): Thanks to the enduring work and preparation of our emergency services agencies, no lives were lost during Tuesday's catastrophic fire conditions. On Tuesday, 19 fires reached emergency warning level and at the peak, there were 16 fires at emergency warning level simultaneously across our State. While the Northern Tablelands, North Coast, and mid North Coast have shouldered the bulk of the devastation, we still have a watch-and-act level fire burning in the Wollemi National Park and fires in Loftus, Turramurra and Llandilo are still at advice level.

Tragically, this season six people have lost their lives and over 30 have been injured, including at least three firefighters. Fortunately, no lives were lost during Tuesday's catastrophic conditions. We have seen widespread destruction, several hundred structures already damaged or destroyed this season. While the assessment continues, we know that this season's toll has already surpassed 260 homes being destroyed and 800 outbuildings were either destroyed or damaged. Since 8 November over 1,100 people have been provided with commercial accommodation. Hundreds of others have been accommodated by their local evacuation centres. At the peak there are 21 evacuation centres open.

I make special mention of Club Taree, which had 1,305 registrations and accommodated 235 people. Kempsey Showground had 792 registrations and accommodated 220 people. Grafton Community Centre had 612 registrations and accommodated two people. Laurieton United Services Club had 372 registrations and accommodated 90 people. Tuncurry Bowling Club had 315 registrations and accommodated 71 people. ClubsNSW have generously opened all registered clubs in fire-related areas to those seeking shelter. It announced that the normal sign-in rules will be suspended and anyone may seek refuge.

While fires continue to burn, the New South Wales Government has already begun to look to the future. On 9 November Premier Gladys Berejiklian announced that Mr Euan Ferguson has been appointed Recovery Coordinator to oversee the recovery from the impact of the fires in the mid North Coast and northern New South Wales. We know that the next few weeks and months will be incredibly tough for our communities but we also know just how resilient our regional communities are. The Government will stand shoulder to shoulder with our towns as they work to rebuild. We thank the 3,000 firefighters who were deployed on Tuesday in the catastrophic conditions, with 1,500 being available at any one time. I move:

That the motion be amended as follows:

1. In paragraph 1 omit all words after "That" and insert instead "this House notes that New South Wales has faced one of the toughest days in our history."
2. Omit subparagraphs 2 (b), 2 (c), 2 (d) and 2 (e).
3. In subparagraph 3 (a) insert "Fire and Rescue NSW" after "Rural Fire Service".
4. Omit subparagraph 3 (b).

The Hon. ADAM SEARLE (16:37:34): On behalf of the Opposition, I support the motion moved by Mr David Shoebridge. I also indicate that we will not support the Government's amendments. Unfortunately, this important issue has become politically charged. Obviously this is a time of catastrophic bushfire risk when lives and property have been lost but the risk has not passed because we are really only heading into the bushfire season now. It behoves us all to raise the tone and have a debate, hopefully which is not partisan in tone. As a national columnist opined during the week, it should be possible to express empathy for the concerns of victims about the issues that we face as a community but, at the same time, we should be able to address the underlying causes or exacerbations of the bushfire crisis.

There is no doubt that while bushfires are not caused by climate change, it is contributing to more extreme weather conditions which is increasing the risk of bushfire, and the bushfires we are seeing here and overseas are far more dangerous than in previous years. It may always have been the case that there was back-burning. The First Nations peoples also engaged in the use of fire, but what our communities are facing today is far greater. The fact is that for years scientists and meteorologists have been warning of more frequent and more extreme bushfires as a result of changing climate. Those messages from scientists have been met by policy inertia. The comments by the Deputy Prime Minister and the Deputy Premier, suggesting how dare anyone mention climate change at this terrible time, is a bit like people protesting too much.

We saw the interim report from the water commissioner which explains that this Government's policies brought the drought on three years earlier, how it has prolonged it and made it much more profound than it needed to be. The catastrophic fire warnings that we have been experiencing, the signs we have seen and the portents from scientists here and all over the world is really showing that we are approaching a worsening climate situation. That is not to simply say that we blame the Government for everything that is happening, but it should be a wake-up call. At the same time that we prepare for bushfires and put all the resources into combating bushfires and helping people recover, we should renew our efforts to tackle climate change both here and abroad.

The Hon. MARK LATHAM (16:40:40): By and large, bushfires are caused by arsonists and lightning strikes, not climate change. It is a misrepresentation of the climate change cause and it is actually damaging for climate change advocates to try to convince the public through hysteria and exaggeration that something is connected when it is plainly not. There have been bushfires in Australia for 60,000 years. One of the interesting aspects of James Cook's journey up the Australian east coast was the observation of a number of smoky fires burning in the coastal districts. This was happening for a valid reason. Indigenous people had the habit of lighting fires to flush out animals to kill so they could eat them and to also regenerate the bushland. So there has been a land management practice based on fire on this continent for 60,000 years. The Australian people are not silly. They know that arsonists lit the fires in these dreadful circumstances on Tuesday. Unfortunately, because of so much media publicity these nutcase pyromaniacs think: Well, this is my day. Unfortunately, those sick minds do their worst.

The Australian public, having heard a lot about climate change, has a natural aversion to hyperbole and hysteria and want a more measured analysis of what is going on. This is a very long-term trend that has impacts. I have seen changes in the birdlife where I live in western Sydney. Horses in the district get the Queensland itch that they did not get years ago because it has moved south of the border. These things are real, but to tell us that a fire that was started by an arsonist or a lightning strike is because of long-term changes in the climate beggars belief. It is not credible. The real issue in this debate is that we support the firefighters and acknowledge that while climate trends are genuine and real, they are so long-term that they cannot be woven into political pointscoring for a short-term event. That is the tragedy of what is going on. It is One Nation's position to support the amendment moved by the Government to delete certain words and add the following. I move:

That the motion be amended by inserting after paragraph 3:

4. That this House condemns the political activist and News Corp journalist Sherele Moody for her comments yesterday falsely claiming that firefighters return home from fires and bash their partners, and notes the shameful way in which these comments were made while flanked by two Greens Senators at a Greens press conference in Canberra.

Those comments were plainly disgusting, false and wrong. We are told we have the right to know. This is the right to know fake news. It is not true. She had no evidence of this. I say to The Greens that the most credible way to proceed is to get their own house in order by not associating with people who make things up.

[A member interjected.]

The Hon. MARK LATHAM: Well, do not make things up— [Time expired.]

The PRESIDENT: I remind members that interjections are disorderly.

Ms ABIGAIL BOYD (16:44:00): I make a quick contribution to the motion. We can and should be sad and distressed by recent events and the damage and loss of life. We can also be angry and we can make plans now to avoid or mitigate the same extent of damage and loss of life in the future, if it is possible. The link between climate change and the conditions for longer and more severe bushfires is undeniable. No-one is saying that climate change caused the fires. Obviously climate change has created conditions which, once a fire is lit, make it that much harder to put out. That is what members on this side have been saying in the debate. It is quite sensible, which is why it gets reported falsely in the mainstream media. We cannot hide from this as much as we might want to.

The people of New South Wales want leadership from their governments. They want humility from their politicians. Doctors have a great mantra when they refer to being humble before the evidence. A good friend who

is an anaesthetist explained this to me. The basic principle is that he might have been using a particular technique for many years and having great results from that technique. But if he reads a journal and it demonstrates to him that there is sufficient evidence that his technique is not as good or that it provides more risk than another, it is up to him to swallow his pride, be humble before that evidence and change and adapt. That is what the people of New South Wales are asking of their politicians. The climate science is undeniable. People are asking that the Government changes, adapts and is humble before the evidence.

The Hon. ROD ROBERTS (16:46:19): I am one of those who does not believe it is an appropriate time to be speaking about climate change. Nevertheless, the gate has been opened so I am going to say something. In 1926, on Black Sunday, 60 people died and 1,000 buildings were destroyed. In 1939, on Black Friday, 71 people died and 5,000 buildings were destroyed. In 1967, on Black Tuesday, 62 people died and 1,300 buildings were destroyed. In 1983, on Ash Wednesday, 75 people died and 3,000 buildings were destroyed. In 2009, on Black Saturday, 180 people died and 3,500 buildings were destroyed. It is interesting that there was no climate emergency at the time of those tragic fires when lives were lost. No climate emergency was declared in 1926, 1939, 1967, 1983 or 2009 when these dreadful fires occurred. It is a fact of life, not a climate emergency.

In my role as a detective sergeant in the NSW Police Force, I was in charge of the arson investigation course. I used to teach detectives how to investigate arson and fire. There is a well-known thing called the triangle of fire. The triangle of fire consists of three components: fuel, heat and oxygen. If any one of those components were missing then there would be no fire. There is a fuel source at the moment and there is oxygen. But as my colleague the Hon. Mark Latham stated, the fires are caused by a person. Let us look at petrol as an analogy. It is one of the most volatile substances, but when it is left sitting alone and inert, it will not catch fire or explode. It takes a person to cause a reaction. We will support the Government's amendments. I do not believe a climate emergency is linked to the bushfires.

The Hon. ROSE JACKSON (16:48:32): I speak in support of the motion and in support of my colleague, the Hon. Adam Searle. No-one is suggesting that climate change is an inanimate object that can start a fire, but everyone in the scientific community who has studied this has concluded that our climate is changing and it is creating circumstances in which bushfires are more frequent and more severe. This can be practically demonstrated by the evidence put forward by my colleague Mr David Shoebridge around the extension of the fire season that we are seeing right here and in the decisions made right now in this State by the lead agencies, who are doing an outstanding job in bushfire management: the Rural Fire Service, Forestry Corp and Fire and Rescue NSW.

Those organisations that work with our local councils are making decisions right now about how to manage bushfires in New South Wales and they are deciding to declare the bushfire season earlier and earlier in the year. They do that for the simple reason that the risk is getting greater and greater. Why is the risk getting greater? It is because our climate is changing. That does not mean that we have never had fires. Of course, we have always had fires. It means that the risk that those fires present and their severity and frequency are changing as our climate is changing. Recognising that, talking about it and just acknowledging it in this place, without necessarily ascribing blame, is really important.

I am not interested in blaming anyone for what has happened in the past. This can be a hopeful, positive and optimistic debate about the future of our State. Think about New South Wales with a renewable energy industry that rivals Germany. Think about New South Wales with jobs in manufacturing and renewable energy technology. Think about having clean air so kids who have asthma are not exposed to increased attacks. Think about not just cleaner water but more water. Think about water flowing again. They are the opportunities that are presented to our State 10, 15 or 20 years down the track. If we take action now we can in a hopeful and positive way transform our State into a better place to live.

It is not about ascribing blame for what has happened in the past; it is about acknowledging the fact that the climate is changing and that is affecting the exposure of people and property to bushfires, and taking action to mitigate that in the future. This can be a great time for our Parliament to meet and talk about this crisis and work together to resolve it. It frustrates and saddens me that that is not how this debate is being conducted. I think that is a way that we can conduct it into the future.

The Hon. CATHERINE CUSACK (16:51:37): I speak as a representative from rural and regional New South Wales and as someone who grew up on a farm with the threat of bushfire as a constant in communities that worked together to face that threat. I believe every member in this House is as anxious about the bushfires and as appreciative of the efforts to fight them as I am and I would like to see those sentiments prevail in this Chamber today. The motion that has been moved by Mr David Shoebridge is really an effort to make a big point about a divisive issue. Many people in our community feel that climate change is a contributing issue, but I do not believe this is the time to have that debate. I do not think our communities want us to have a political argument in this Chamber about what has caused the fires while they are raging across the State.

When a person is at the face of a fire, and working with people who are directly fighting those fires, there are many things going through their minds: past planning decisions, coastal development, the nature of vegetation that has been planted and how our roads are situated. I assure members that people in the country think about multiple issues and whether it would have been better had they not occurred in the past. They also think about multiple policy issues as well. To single out climate change and to imply in the debate that the Government is in denial and doing nothing about it is disappointing on two levels. First of all, it is opportunistic for it to be raised at this incredibly urgent time and to have an argument in this Chamber just to make a point that really deserves to be put aside until after the emergency is over. Secondly, it is being done in a way that implies that the Government is not responsive.

I assure members that, particularly after the fires in Port Stephens, a huge amount of energy, effort, research and technology is going into understanding the behaviour of fire in these landscapes. It is bewildering everybody around the world, and we are working internationally to gain a better understanding. This Government is pouring resources into studying the problem and is completely handing the operational control to the experts. Nobody is saying they will not invest in that study because he or she does not believe in climate change. If we listen to The Greens one would think that is going on on a daily basis. Of course we are letting them do it. The firefighters say that obviously climate change is an issue in terms of the changing behaviour of the fires. The fires in the upper Hunter were terrible. I support the Government's amendment.

Mr DAVID SHOEBRIDGE (16:54:48): In reply: I thank the overwhelming majority of members who have contributed to this debate without abusing each other or throwing mud at each other and without seeking to make it a political circus. I do not include the contribution from the first speaker from One Nation and the amendment moved by him. That was not a constructive contribution to the debate. Indeed, if he had followed the debate he would have realised that we cannot guarantee what people will say. What that woman was going to say was not known to the senators at the time. Indeed, the senators have distanced themselves from it and said she does not speak for them. The speaker from One Nation brought it in to this debate, which was opportunistic and unworthy. I will let members make up their own minds in regard to that amendment.

It is unfortunate the Government is seeking to delete every reference to climate change in the motion because it is integral to the discussion. If not now, then when? There is a pattern of this from the Government because we know just two days ago at what I hope was the peak of this appalling bushfire season, the public affairs section of the Department of Environment and Planning directed all of the public servants who were attending the Adapt NSW forum, which was meant to showcase best practice in reducing the impacts of climate change, to "not discuss the link between climate change and bushfires". The very moment we need our experts to talk to us and give their advice so we can be guided by them and have an informed, intelligent discussion on this matter, the Government actually gagged its experts and said they were not allowed to talk about the link between bushfires and climate change. That is the wording from the email.

It is a fact that bushfires are becoming more common and more extreme because climate change is making larger parts of this State drier and more susceptible to bushfires. We all agree that climate change does not start a bushfire but it means that the season in which we can do the hazard reduction work is being reduced so it is harder to actually do the work. Climate change means that the undergrowth is drier. It means that we are more vulnerable to fire and we need to acknowledge the facts. I appreciate that, by and large, this has been a respectful debate but we need to debate the facts and not the politics. Let us try to do that going forward. I commend the motion unamended to the House.

The PRESIDENT: Mr David Shoebridge has moved a motion, to which the Hon. Scott Farlow and the Hon. Mark Latham have moved amendments. The question is that the amendment of the Hon. Scott Farlow be agreed to.

The House divided.

Ayes 18

Noes 17

Majority..... 1

AYES

Banasiak, Mr M
Fang, Mr W
Franklin, Mr B
Latham, Mr M
Martin, Mr T
Taylor, Mrs

Borsak, Mr R
Farlow, Mr S
Harwin, Mr D
Maclaren-Jones, Mrs (teller)
Nile, Revd Mr
Tudehope, Mr D

Cusack, Ms C
Farraway, Mr S.J. (teller)
Khan, Mr T
Mallard, Mr S
Roberts, Mr R
Ward, Mrs N

NOES

Boyd, Ms A
Donnelly, Mr G
Graham, Mr J
Mookhey, Mr D
Pearson, Mr M
Secord, Mr W

Buttigieg, Mr M (teller)
Faehrmann, Ms C
Hurst, Ms E
Moriarty, Ms T
Primrose, Mr P
Shoebridge, Mr D

D'Adam, Mr A (teller)
Field, Mr J
Jackson, Ms R
Moselmane, Mr S
Searle, Mr A

PAIRS

Amato, Mr L
Mason-Cox, Mr M
Mitchell, Mrs S

Houssos, Mrs C
Sharpe, Ms P
Veitch, Mr M

Amendment agreed to.

The PRESIDENT: The question is that the amendment of the Hon. Mark Latham be agreed to. Is leave granted to ring the bells for one minute?

Leave not granted.**The House divided.**

Ayes5
Noes32
Majority.....27

AYES

Banasiak, Mr M
Nile, Revd Mr

Borsak, Mr R (teller)
Roberts, Mr R

Latham, Mr M (teller)

NOES

Amato, Mr L
Cusack, Ms C
Faehrmann, Ms C
Faraway, Mr S.J.
Graham, Mr J
Jackson, Ms R
Mallard, Mr S
Mookhey, Mr D
Pearson, Mr M
Secord, Mr W
Tudehope, Mr D

Boyd, Ms A
D'Adam, Mr A
Fang, Mr W
Field, Mr J
Harwin, Mr D
Khan, Mr T
Martin, Mr T
Moriarty, Ms T
Primrose, Mr P
Shoebridge, Mr D
Ward, Mrs N

Buttigieg, Mr M (teller)
Donnelly, Mr G
Farlow, Mr S
Franklin, Mr B
Hurst, Ms E
Maclaren-Jones, Mrs (teller)
Mitchell, Mrs S
Moselmane, Mr S
Searle, Mr A
Taylor, Mrs

Amendment negatived.

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

Motion as amended agreed to.**BUS PRIVATISATION**

Ms ABIGAIL BOYD: I move:

That private members' business item No. 344 outside the order of precedence be considered in a short form format.

Motion agreed to.

Ms ABIGAIL BOYD (17:15:39): I move:

1. That this House notes that:

- (a) the Government has announced that it intends to privatise the last remaining publicly owned and operated bus services in Sydney in regions 7, 8 and 9 (which includes the northern beaches, eastern suburbs, North Shore and Chatswood areas);
 - (b) this follows the privatisation of Sydney region 6 buses (the inner west) and the sell-off of all Newcastle public transport delivery (trams, buses and ferry) in 2017;
 - (c) this move to privatise publicly owned services comes without any meaningful consultation for affected communities;
 - (d) that the privatisation of public transport services in region 6 has seen a decline in commuter satisfaction and on-time running;
 - (e) that the privatisation of public transport services in Newcastle has seen a decline in commuter usage of services, a significant reduction in available bus routes and lower overall commuter satisfaction; and
 - (f) that privatisation of essential services historically has seen a decline in the working conditions and pay of frontline workers.
2. That this House:
- (a) commends the work of the State Transit Authority, which operates the bus services in regions 7, 8 and 9 and has since 2017 significantly increased on-time running compared to the now privately operated region 6 while also running at an operating profit for the New South Wales Government; and
 - (b) calls on the Government to immediately halt the privatisation of bus services in regions 7, 8 and 9.

The Greens stand with the Rail, Tram, and Bus Union and affected communities in opposing the proposed privatisation of the last publicly owned and operated buses in Sydney's eastern suburbs, northern beaches and the North Shore. This Government is obsessed with selling off public assets. It is a Government that is far more interested in outsourcing its responsibilities to the people of New South Wales than delivering the services it was elected to deliver.

Essential services such as public transport should not be run for private profit. They should be run for the public by the public. Buses do not exist to line the coffers of a private corporation. They exist to connect our communities, to get us to and from where we need to go and they are a vital part of our economic and social infrastructure. Evidence has shown that there is little to no benefit to commuters and communities in privatising our public transport. There are two recent examples that drive this point home. Firstly, in 2017, the Coalition Government privatised bus services in the inner west by selling to Transit Systems and, secondly, the sell-off of all buses, light rail and ferry services in Newcastle to Keolis Downer.

Until 2017 buses in the inner west of Sydney were publicly owned and operated by the State Transit Authority [STA]. More than a year after the sale the new private operator, Transit Systems, has failed every single month to meet its on-time running metric of 95 per cent. This is a much poorer result when compared to the publicly owned and operated services of the STA. That is even more remarkable when you take into account the fact that the STA's proposed service upgrades and changes to running times and timetables, funded by \$5 million in operating profits, was rejected by Transport for NSW without any explanation. In Newcastle commuters have seen the number of bus routes slashed from 27 to 21, services run less frequently and the number of commuters drop sharply in the calendar year after all services were sold off.

This sell-off occurred without any meaningful community consultation or consideration of the wishes of affected residents in the inner west or Newcastle. Time after time this Coalition Government has shown that it is more interested in propping up the profit margins of big business and corporations over building and operating world-class public transport. It has sold off services without any evidence to demonstrate the purported benefits of privatisations and has actively knocked back proposals from the publicly opened and operated STA to improve its services in order to remain competitive.

It is almost as if the Government does not want the STA to succeed because that would get in the way of running services into the ground before selling them off to the highest bidder. Why should we trust the Government when it says privatising services in the eastern suburbs, northern beaches and North Shore will result in more efficient, robust and frequent public transport when all the evidence points to the contrary? Since inner west buses were privatised in 2017 the publicly owned and operated buses in the eastern suburbs, northern beaches and North Shore have comparatively shown significantly higher on-time running metrics and higher commuter satisfaction. And all of this occurs while maintaining an operating profit for the Government that is in the millions.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): Order! I ask members to significantly lower the level of their discussions. The member is entitled to some courtesy.

Ms ABIGAIL BOYD: These buses that are performing better than their privately operated counterparts and at a profit are the buses the Government wants to sell off. That simply does not add up. The Greens believe that public transport is an essential public service that exists to connect communities and places and that it should

get you where you need to go at the time you need to get there. There is absolutely no reason why public transport cannot thrive in public hands when operated by an effective and well-funded public sector, yet the Government would have members believe that only the private sector can improve services. That is a lie told by a government so obsessed with becoming a business that it has forgotten its place in our society. It has no vision, no credibility and absolutely no right to sell off our bus services.

The Hon. JOHN GRAHAM (17:20:12): I speak on behalf of the Opposition in debate on the motion and I thank the member for moving it. From the Opposition's point of view, the key issue is the public interest. People want to get around on time and they should be able to do that. I am not especially fixed on all transport being public. The system in New South Wales provides a mix of public and private services and that was the system under a Labor government. The test is the public interest. What does it mean for the average commuter getting around? Members have referred to what happened in region 6. There was no single month when buses ran on time and no single month when it was not the worst performing region in the State. That was the experiment. It was a total failure. Now the Minister has decided to triple down—regions 7, 8 and 9—after a failed experiment. That seems ideological to me. There is a place for ideology in politics but I would not have inserted it where the evidence is so clearly against the public interest. I put that view on behalf of the Opposition.

To his credit, the Minister has been up-front about his ideological agenda for transport, unlike some other members of the Government. The Minister says it should all be private. He should be commended for being up-front but not for the Government's decision because it runs against the public interest and it runs against the evidence. I support the motion.

The Hon. MARK LATHAM (17:22:01): I have had a lifelong interest in bus services ever since attending a million Labor Party meetings in western Sydney where the motion that was moved more frequently than any other was, "Where are our government buses?" It is a great shame that the motion of Ms Abigail Boyd has no horizon further than Canterbury Road and reveals the quite limited inner-city interests of The Greens. I am stunned and shocked that the Hon. John Graham, who is perhaps still dazed by supporting the monarchy earlier today, has forgotten the most popular and relevant Labor Party resolution in the history of the party in western Sydney: Where are our government buses?

The Hon. John Graham: What are you doing about it?

The Hon. MARK LATHAM: He may never have had to ride on the Oliveri buses on South Liverpool Road and Maxwells Avenue, on the Calabro buses in Fairfield or on the Bosnjack buses used by Labor Party working people. None of those people were in inner-city cafes, hugging trees or eating tofu. They were all workers trying to get to their jobs at 5.00 a.m. on private buses that mostly did not turn up, charged them too much or broke down—which was even worse. Anyone who had done that would know that those Labor Party resolutions were spot on. The Hon. John Graham has come out of his daze about the monarchy and has asked me what I am doing about it. Having heard those resolutions and supported them—back in the day I even moved a couple—I propose an amendment to this motion. I move:

That the motion be amended by inserting at the end:

3. That if the North Shore and eastern suburbs of Sydney have government buses, providing a better service, then western Sydney and south-west Sydney must have the same. In fact, the first priority on the basis of socio-economic need must be to move the government buses from the North Shore and eastern suburbs to western and south-western suburbs.

I am putting to The Greens that if the argument is that public bus services are better for people, why do we not put the services in the areas that have the greatest socio-economic need and where the workers need to get to their jobs on time? They cannot afford to lose their jobs. They do not have triple incomes, or housing and financial investments like The Greens members in the inner city. If the pressing need is for buses to help people who really need on-time running and efficient services, they must be in western and south-western Sydney. We should not be in the business of adopting The Greens policy to cross-subsidise the wealthy with public services while people who are not so wealthy go without. That is a basic principle of fairness. I am expecting the Labor Party to back my amendment.

I do not know what the Government will do. The Government is quite happy for our firefighters to be denigrated, to be called "wife beaters" and to be abused by so-called journalists in Canberra. I have no idea what the Government will be doing. I do not think that the Government has any sense of equity on its mind because it let our firefighters down so badly earlier in the day. But there is an echo of all those resolutions about government bus services in Labor Party branches over the years. I proudly commend my amendment to the House.

The Hon. TAYLOR MARTIN (17:25:11): At its heart, this motion is an attempt to scare people into thinking that franchising bus services will have a negative impact on them. The truth is that the best bus services in New South Wales are run by private operators. I will tell members about how great a bus service can be when it is operated by a private company. Ms Abigail Boyd should know this because the Central Coast, where both of

us are from, has never had a government-operated bus service. The three bus services that are contracted on the Central Coast are operated by Busways, The Entrance Red Bus Services and Coastal Liner. They run the same sorts of buses as government-operated services. They charge the same fares, payable with an Opal card, and they offer excellent coverage at high frequency along major routes. It is my firm belief, backed up by the statistics I am about to share, that the regions where the Government currently operates bus services would benefit from having a private operator with a built-in requirement to meet the service standards.

Let us start with The Entrance Red Bus Services. In September this year buses were on time 98.3 per cent of the time. In August buses were on time 98.3 per cent of the time. In July it did even better, with buses running on time 98.5 per cent of the time. In fact, since July 2018 The Entrance Red Bus Services has met its key performance indicators every single month. Even its worst result of 97.4 per cent on-time running in February was 2.4 per cent above its key performance indicator [KPI]. Now let us consider Coastal Liner. In September this year buses were on time 99.5 per cent of the time. In August buses were on time 99.1 per cent of the time. In July buses ran on time 99.6 per cent of the time. I could go on. It is all very similar.

In September this year Busways buses were on time 96.9 per cent of the time. In August they were on time 96.9 per cent of the time. In July, it was even better at 97.4 per cent. In their fearmongering members opposite ignore the inconvenient facts that show private operators do an excellent job in meeting the service standards demanded by the Government. I will outline some more facts. Region 7, which we propose to transfer to a franchise model, has failed to meet its KPI in eight of the past 15 months. Region 8, which will also change, has failed to meet its KPI in two of the past 15 months—a better result but still worse than the private operators on the Central Coast. Region 9—also a shocker—has failed to meet its KPI in eight of the past 15 months. I call on members opposite to look at the facts—or, as The Greens like to say, "believe in the science"—that private operators provide better services when they have an incentive built into their contracts. I oppose the motion.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (17:28:05): I oppose the motion. I will address some matters raised by Ms Abigail Boyd. If you listened to The Greens you would have to form the view that the Government does not care about public transport. The Government has done more for public transport than almost the 10 previous governments combined. If you look at the amount of work being done on delivering Sydney Metro, new Sydney bus routes and extra buses and bus services, it is clear that this Government is committed to public transport and, more importantly, committed to ensuring that transport is available for the citizens of this State.

To name a few, the Sydney Metro Northwest is one of the great forms of public transport for the people of this State. It is being delivered by a private operator, but it is something that the people of the north-west of Sydney cried out for for the best part of 30 years while Labor members sat on their hands and made promises but delivered nothing. The Rozelle Bay Light Rail was promised but the contract had to be paid out and \$800 million went out the door.

On 7 December the Berejiklian-Barilaro Government announced it would deliver the new CBD and South East Light Rail. There is also a new light rail promised between Parramatta and Carlingford with stage two hopefully to Olympic Park. There is a new Sydney Metro West that is being delivered. The projects I have mentioned are the actions of a government that is committed to delivering public transport options and making Sydney a much more livable city. This Government is committed to ensuring that family members get home to their loved ones more quickly every single day. That is the type of commitment we want from a government. We do not want ideological claptrap from The Greens party that is aligned to ensuring that the unions are looked after. We want a government that commits itself to the welfare of the people of this State.

The Hon. Taylor Martin: That is what we have.

The Hon. DAMIEN TUDEHOPE: I commend the Hon. Taylor Martin for a correct analysis of the manner in which the Government is delivering public transport systems. The New South Wales Government wants to do it better. We want to make sure that people have public transport available to them. The Government is delivering it.

Ms ABIGAIL BOYD (17:31:07): In reply: I thank the Hon. John Graham for his contribution to the debate; however, I am genuinely confused about what the amendment moved by the Hon. Mark Latham is aimed at achieving. The Greens are opposed to the privatisation and the private running of all public transport in this State in all areas, but this debate is about a particular proposal by the Government right now to privatise the last three areas. That is why the motion is about those three areas only, but The Greens would absolutely like public transport to be available throughout the State.

The Hon. Mark Latham: So support my amendment.

Ms ABIGAIL BOYD: I would need to examine the detail of the amendment you moved. If the amendment is basically that we have government bus services everywhere, The Greens support that. I thank the Hon. Taylor Martin for pointing out to the Hon. Mark Latham that I am not from the inner city.

The Hon. Mark Latham: You might as well be. You certainly are today.

Ms ABIGAIL BOYD: Certainly not. I hear what the Minister for Finance and Small Business is saying about this Government caring about public transport, except it is not public anymore. In fact, the Minister for Transport and Roads is on record saying that he does not want the Government to be in the business of providing transport. How is it public transport if it is no longer run by the Government?

The Hon. Taylor Martin: The public gets the transport. That is what "public transport" means.

Ms ABIGAIL BOYD: So if a member of the public gets into a private taxi, that is a public taxi? I thank all members who contributed to the debate. I commend the motion to the House.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): Ms Abigail Boyd has moved a motion, to which the Hon. Mark Latham has moved an amendment. The question is that the amendment of the Hon. Mark Latham be agreed to.

Amendment agreed to.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): The question is that the motion as amended be agreed to.

The House divided.

Ayes22
Noes 13
Majority.....9

AYES

Banasiak, Mr M
Buttigieg, Mr M (teller)
Faehrmann, Ms C
Hurst, Ms E
Mookhey, Mr D
Nile, Revd Mr
Roberts, Mr R
Shoebridge, Mr D

Borsak, Mr R
D'Adam, Mr A (teller)
Field, Mr J
Jackson, Ms R
Moriarty, Ms T
Pearson, Mr M
Searle, Mr A

Boyd, Ms A
Donnelly, Mr G
Graham, Mr J
Latham, Mr M
Moselmane, Mr S
Primrose, Mr P
Secord, Mr W

NOES

Amato, Mr L
Farlow, Mr S
Khan, Mr T
Martin, Mr T
Tudehope, Mr D

Cusack, Ms C
Farroway, Mr S. J. (teller)
Maclaren-Jones, Mrs (teller)
Mitchell, Mrs

Fang, Mr W
Harwin, Mr D
Mallard, Mr S
Taylor, Mrs

PAIRS

Houssos, Mrs C
Sharpe, Ms P
Veitch, Mr M

Franklin, Mr B
Mason-Cox, Mr M
Ward, Mrs N

Motion as amended agreed to.

Bills

INDUSTRIAL RELATIONS AMENDMENT (CONTRACTS OF CARRIAGE) BILL 2019

Second Reading Debate

Debate resumed from 17 October 2019.

The PRESIDENT: Is any member seeking to make a contribution to the debate? I will ask one more time because once I call the member in reply I am not going back. Is any member seeking the call? No. I call the Hon. Adam Searle in reply.

The Hon. ADAM SEARLE (17:42:58): In reply: I thank the Leader of the Government for his contribution outlining the Government's position on the Industrial Relations Amendment (Contracts of Carriage) Bill 2019. A number of things said on behalf of the Government reflect its ideological perspective. It does not believe in legislating to create workers rights. In chapter 6 of the New South Wales Industrial Relations Act we have a very good framework that provides a mechanism for setting pay and conditions for persons in the transport—

Mr David Shoebridge: Have I missed out?

The Hon. ADAM SEARLE: I am happy to give way.

The PRESIDENT: No. I am not going to allow that.

Mr David Shoebridge: I thought it was being adjourned.

The PRESIDENT: There has been a tendency today for this to happen. I gave members two opportunities to seek the call. The Hon. Adam Searle has begun his speech in reply. The member has the call and he will continue.

The Hon. ADAM SEARLE: The framework sets the mechanism for setting pay and conditions for workers in the transport industry. But certain classes of workers are expressly excluded. It is to correct that, in part, that Labor brings this bill forward. The Government has proceeded on the basis that if enacted this legislation would be in conflict with Federal laws. That is not the case. Firstly, the workers who would benefit from this legislation are not employees. They are workers engaged in different legal ways other than a contract of employment, so the Fair Work Act would not apply to them. The second argument raised by the Government is to do with the independent contractors legislation, which is very badly crafted legislation. It is far from clear that it intends to cover the field of independent contractors. But the clue is in the name "independent contractors". The workers that this bill seeks to benefit are far from independent. They may legally own their own truck but they are providing their services essentially for one or at most two outfits.

What brought this forward was the case of two Tip Top truck drivers. They were not employed by Tip Top. They had their own trucks that they had to provide at their own expense. They had to provide the petrol, the tyres and the on-road costs and pay for the wear and tear. In return, they were paid an all-up rate. They were not permitted to bargain with Tip Top because they did not have access to the bargaining mechanisms in any State or Federal framework. Over time their net remuneration was deteriorating and the tales they told us about what was happening to other workers employed by similar outfits were truly horrific. They talked about ever longer hours for less remuneration, causing people to work longer without proper rest breaks. They talked about not having the money to make sure their vehicles were fit for the road, creating a risk to not only their health and safety but also the wider community.

This legislation deals with people who are not independent; they are economically dependent on much larger outfits. They are not even given the benefits of being employees. This legislation is intended to support them in a way that is entirely consistent with Federal laws because those various laws provide them with no remedy. That canard raised by the Government simply does not apply. Although other members of this House have not spoken in this debate, I know there is broad support for these legislative measures. I thank those members for their support and encouragement through this process.

Again, I ask members to reflect on this. In the twenty-first century it should not be a big ask to suggest that all workers—whoever they are, for whomever they work—should have a legally enforceable minimum rate of pay. They should have a safe rate of pay which, after providing for their work equipment and place of work, provides them and their family with a reasonable and decent standard of living. It should not be too much to ask that working conditions are safe. But if you cannot negotiate these things with the person who engages you and provides you with your remuneration, you should have a third party to whom you can turn and argue your case on its substantive merits—win, lose or draw.

That is what has inspired the bringing forward of this legislation—the tale of two Tip Top truck drivers from Campbelltown whose case was brought forward by my friend and shadow ministerial colleague in the other place Greg Warren, MP, the member for Campbelltown.

The Hon. Mark Latham: He is a very good member.

The Hon. ADAM SEARLE: He is an excellent member. I acknowledge that interjection. He pursued this matter for his constituents up hill and down dale. I am told that in their case there was ultimately a satisfactory outcome. But not every worker in that situation will have as active a member of Parliament going into bat for them. Not every worker will be in a situation where they can get a positive outcome. I urge honourable members to look at this on its merits. It will not cost the Government money because it applies to the private sector. It will also not cost the private sector money because when the improvements in health and safety and the increased wellbeing of the workers are taken into account, there will be a strong case that there has been a net positive impact on the economy and in the lives of those workers and their families. I urge this House to reject the narrow and ideological approach of the current Government and to join with the Opposition in tipping the scales a little bit closer to being evenly balanced in favour of working people, or at least a certain class of working people. I urge honourable members to vote for this bill.

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

The House divided.

Ayes20
Noes11
Majority.....9

AYES

Banasiak, Mr M
Buttigieg, Mr M (teller)
Faehrmann, Ms C
Hurst, Ms E
Mookhey, Mr D
Pearson, Mr M
Searle, Mr A

Borsak, Mr R
D'Adam, Mr A (teller)
Field, Mr J
Jackson, Ms R
Moriarty, Ms T
Primrose, Mr P
Shoebridge, Mr D

Boyd, Ms A
Donnelly, Mr G
Graham, Mr J
Latham, Mr M
Nile, Revd Mr
Roberts, Mr R

NOES

Amato, Mr L
Farraway, Mr S.J. (teller)
Martin, Mr T
Tudehope, Mr D

Cusack, Ms C
Harwin, Mr D
Mitchell, Mrs
Ward, Mrs N

Farlow, Mr S
Maclaren-Jones, Mrs (teller)
Taylor, Mrs

PAIRS

Houssos, Mrs C
Moselmane, Mr S
Secord, Mr W
Sharpe, Ms P
Veitch, Mr M

Fang, Mr W
Franklin, Mr B
Khan, Mr T
Mallard, Mr S
Mason-Cox, Mr M

Motion agreed to.

Third Reading

The Hon. ADAM SEARLE: I move:

That this bill be now read a third time.

Motion agreed to.

FISHING LEGISLATION AMENDMENT (RIGHT TO FISH) BILL 2019

First Reading

Bill introduced, and read a first time and ordered to be printed on motion by the Hon. Mark Banasiak.

Second Reading Speech

The Hon. MARK BANASIAK (18:00:34): I move:

That this bill be now read a second time.

I am proud to introduce this important piece of legislation—the Fishing Legislation Amendment (Right to Fish) Bill 2019. The bill will amend the Fisheries Management Act 1994 and the Marine Estate Management Act 2014. For 150 years professional, cultural and recreational fishing has seen reform after reform. As a result, and quite rightly, fishermen have felt under siege. Fishermen, like shooters, have targets on them. Under this Government's green regime, little understanding and little consideration is given to traditional hobbies like hunting and fishing.

Resource conflict has been the foremost issue for cultural, recreational and commercial fishers, and resource allocation has been a protracted debate in New South Wales for as long as New South Wales waters have been fished. The bill will attempt to set this right. Recreational and professional fishing are mutually beneficial to each other. A report conducted by the New South Wales Research Advisory Committee, titled *Social and Economic Evaluation of NSW Coastal Professional Wild-Catch Fisheries*, made the following very important observation in its 2016 report:

... management responses to resource allocation disputes that seek to exclude professional fishing in favour of recreational fishing or other tourism uses may be counterproductive, given the interdependence and complementary elements of the two sectors.

In other words, recreational and professional fishing go hand in hand. Industry stakeholders realise this and they are willing to work together for the good of the resource. The only people who do not recognise this are the Government and the bureaucrats. When I began my consultation process on the bill, I was made very aware that there had been minimal consultation in previous reforms. I was told about insider trading, allegations of corrupt bureaucrats and greedy Ministers. I was told about consultation meetings where people were individually separated and each individual was then told a different story about how their livelihoods were being managed.

The things that I have been told about this Government—and indeed the ones before it—and its dealings with the fishing industry are, put simply, absolutely appalling. No wonder the fishing industry has a special kind of animosity for politicians. After a lengthy consultation process and a lot of help from the Parliamentary Counsel we now have a right to fish bill of substance for commercial and recreational fishing in the State. For too long commercial and recreational fishing has been used as a political tool by the Minister of the day and the government of the day. The bill will remove the powers of that Minister. Under the current Fisheries Management Act, fishing closures, possession limits and restrictions on public lands can occur without consultation and without any warning to stakeholders at the Minister's discretion. That will not happen any more.

There is no argument that the resource must be managed. The argument stands in the hasty and ill-considered changes that are made to legislation and regulations, year in and year out, without consultation from the fishing community, and then very rarely communicated to the participants and stakeholders. Around 3.4 million Australians participate in recreational fishing. They contribute billions to the economy. Professional fishing contributes millions upon millions of dollars to our economy every year, not to mention the thousands of people whom the fishing industry employs. It is our regional and rural towns that see the benefit of those billions of dollars through their bait-and-tackle shops, their fishing charters and through tourism.

In towns where professional fishermen have been forced out by reforms, recreational fishing often becomes a lifeline. In the fishing village of Eden, where earlier this year I sought consultation on the bill, I heard stories of heartbreak at the careless way in which new regulations had been dished out. In fact, the people there said the latest reforms have been "the worst yet" and an absolute disgrace. Professional fishermen were told by bureaucrats to "dump by-catch" because the new share linkage system did not cover the extra catch. In the past these fishermen could have sold that by-catch; now they had to dump dead fish overboard. Fish are a precious resource. According to statistics from 2017, Australians eat 13.9 kilograms of seafood per person per year. As our population increases, so will our fish consumption. Our proximity to Asia puts us in a unique position, yet we squander it under ill-thought-out reforms and bad legislation.

The government of the day must stop pandering to armchair experts and it must stop fishing for the environmental vote. It is those same armchair experts and environmentalists who live in denial of the fact that it was some fisho who caught their catch that day, but they are only too happy to scoff a blue fin tuna with a glass of wine. We imported around 66 per cent of our seafood in 2017. As we lost fishermen through the reform process, our imports went up. Now we import low-quality products from places that have lower standards than Australia. It is absolute madness. But it is not just the professional fishermen who are subject to rigorous legislation and regulation changes; the recreational fishermen cop it too.

Saltwater and freshwater bag limits are under constant scrutiny, as are saltwater and freshwater fishing methods, like what size lures people can use, how many hooks they can have and how many lines out they can have. The bill seeks to establish an independent statutory body—the NSW Recreational Fishing Council—and put an end to this nonsense. The council will be made up predominantly of stakeholders of the recreational fishing industry plus a couple of government heads so they do not feel left out.

The necessity of an independent statutory body is of utmost importance. The only people who should be making decisions about recreational fishing are those who are directly impacted by those decisions. They are stakeholders and have a direct interest in the industry. They care more about the industry than some armchair bureaucrat. When I consulted the Recreational Fishing Alliance of New South Wales, it brought to my attention the eight Rs. The following is an extract from its website:

Research: We want the NSW government to partner with recreational and commercial fishers to improve the outlook for fish across NSW and ... assess and develop new fishing opportunities and fishing experiences across NSW.

Review: We want the NSW government to partner with recreational fishers to REVIEW issues like the recreational fishing access fee and redefine the way funds are spent ...

Revitalise: We want the NSW government to partner with recreational fishers to REVITALISE recreational fishing and boating in NSW, to make NSW a premier recreational fishing destination and promote the health and wellbeing benefits of fishing for communities and families.

Reform: We want the NSW government to assist with the REFORM of commercial fishing to deliver an efficient, profitable and sustainable industry valued and respected by the community.

Retain: We want the NSW government to partner with recreational fishers to RETAIN access to our current and potential fishable waters and fish stocks within NSW.

Rehabilitate: We want the NSW government to partner with recreational fishers and commercial fishers ... and protect valuable fish habitat across NSW for our fishing future.

Resilience: We want the NSW government to partner with recreational and commercial fishers to build RESILIENCE in our valuable fish stocks across NSW for our fishing future.

Recognize: We want the NSW government to RECOGNISE the importance of recreational fishing to the NSW economy, the health and welfare of its citizens and the custodianship of the fisheries resources and the aquatic environment.

The eight Rs are not unreasonable. The management of the NSW Recreational Fishing Trust has not been scrutinised enough. Recreational fishers are not happy with the cost shifting that has occurred from Government to the trust fund. The trust fund was established so that investment could be made to enhance the industry, whilst Government maintained its level of service to recreational fishing.

Cost shifting—like funding for compliance and law enforcement, fisheries conservation, stock assessment and other research required to manage fish stocks—is unacceptable. Those are all government responsibilities, and so should remain with government coffers. The bill will give the council powers to order an audit into how the money is being spent. Too often we are inundated with complaints from recreational fishers who have been subject to recreational fishing haven closures. The bill will remove the government's arbitrary power to declare, amend or repeal existing fishing activities. We saw late last year what the Government tried to do before the State election—declare another 25 marine parks in the hope that it could shore up its environmental vote in the Coogee and the North Shore electorates.

There will be a legislated requirement to consult with the council and any other entity representing recreational fishing interests before revising any existing fisheries management strategy. It is no secret that the Government works from a silo. The fishing industry is not the only industry that has suffered from a lack of consultation. The most recent echo chamber decision to construct a mega cruise ship terminal in Yarra Bay is yet another reason that the Minister should not be solely responsible for making decisions. Yarra Bay is located in Botany Bay, which is a recreational fishing haven and probably one of the first recreational fishing havens that was set up. A group called Save the Yarra Bay Coalition has formed. In the media it labelled the consultation by Andrew Constance as "tokenistic" and a "sham". A media outlet interviewed a number of locals, including Trevor Walker, an Indigenous leader who organises cultural fishing events at Yarra Bay, catching mullet and passing on knowledge for future generations. He said:

The water was a lot cleaner before the port was put up. We used to eat out of the ocean several times a week. If it wasn't mussels, it was crabs, oysters off the rock. Bimbals – the blood cockles – that you can't find any more

Another Yarra Bay local was interviewed for another media outlet. Dr Rogers, who has a PhD in biological science, said:

If this cruise ship terminal goes ahead, not only would the beach, the bay, diving, fishing and sailing be off-limits forever, the social, cultural and environmental impacts would be catastrophic.

Fishing is an integral Australian activity. It should be prioritised and protected. In its 150-year history, it has contributed to the health and economic development of our nation and has been one of the most enjoyable recreational activities, enjoyed individually or as a family, for generations. It is of utmost importance that we acknowledge our recreational, cultural and professional fishermen as best placed to report on environmental and stock depletion. It is in fishermen's best interest to ensure their resource is sustainably managed. Fishermen tell us that current legislation and regulation is not working.

Unfortunately, there is not enough room in the Government silo for stakeholders that have a direct interest in the industry, but there is more than enough room at the Government roundtable for the likes of the Animal Justice Party and The Greens, who want nothing less than to turn Sydney Harbour and the whole east coast of New South Wales into one giant marine park. There is no greater absurdity to fishery management than marine parks. A park for fish—how nice! I guess if pigs can play PlayStation, then why can't fish play in parks?

On two occasions the Shooters, Fishers and Farmers Party has tried to impose moratoriums on marine parks, but to no avail because of the animal rights and green infiltration of this Coalition Government. Bob Kearney makes the following important point in his report, *Response to ACoRF on the Torn Blue Fringe: Marine Conservation in Australia*:

No evidence is given that traditional fisheries management has in fact failed more often than it has succeeded. Nor is any evidence given of how marine parks as implemented in NSW represent a solution to any fisheries problem.

For those that are out on the water, pollution is the biggest threat to our marine life, not fishing. Yet we see little action by the Government to deal with effluent or storm water output into our oceans. In fact, in budget estimates we found out that the NSW Department of Industry does not research any of that. Sanctuary zones do not stop pollution from entering their perimeters. Bob Kearney also wrote in his response:

... Ecologically Sustainable Development ... is the agreed consensus of Australian governments and their fisheries management agencies for successful fisheries management ...

Instead, the "conservative and precautionary" approach has been used. Kearney says that this:

... demonstrates a most worrying disregard for, or perhaps ignorance of, the fundamental principles of resource conservation and allocation that must underpin [Ecologically Sustainable Development]

Bob Kearney, Emeritus Professor of Fisheries at the Institute of Applied Ecology at the University of Canberra, is saying that marine parks are the result of the disregard and ignorance of our conservation consensus. Yet last year the Government wanted to declare another 25. He says:

By calling for a reduction in fishing effort, regardless of the impact this might have on subsequent levels of catch, and in the absence of properly identified problems with fishing, this indicates antagonism towards fishing ...

The Shooters, Fishers and Farmers Party know this to be true. As I have said previously, fishermen are best placed to report on conservation and to actively participate in conservation. All the hunters and fishers I know consider themselves conservationists, and their actions contribute drastically to the reduction of pest species. This is what we call frontline conservation. Drawing lines on a map is ignorant and ineffective. The bill before the House is quite long and very detailed. I do not intend to go through the details, suffice to say that it constitutes an independent statutory body that will be known as the "NSW Recreational Fishing Council", and will require the Minister to consult with this council before any decisions are made. It will also ensure that the Recreational Fishing Trust funds are properly used and not as some piggy bank for the Government to dip their fingers in.

In closing, I thank the many stakeholders I have spoken to. I particularly thank Holli Thomas from my office and Anne-Marie Maplesden from Parliamentary Counsel for all their work over the past couple of months. During the break I intend to continue travelling around the State talking to as many fishing clubs as possible about the bill. Fishermen have been sacrificial lambs for the environmental vote for far too long. There are a million recreational fishos in this State alone and they have had a gutful. I intend to debate the bill when Parliament resumes early next year.

Debate adjourned.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. NATASHA MACLAREN-JONES: I move:

That private members' business item No. 290 outside the order of precedence be postponed until the next sitting day.

Motion agreed to.

Motions

BUS SERVICES PRIVATISATION

The Hon. MARK BUTTIGIEG: I move:

That private members' business item No. 349 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. MARK BUTTIGIEG (18:19:05): I move:

1. That this House notes that:
 - (a) on Thursday 6 November 2019 the State Transit Authority refused Ms Marjorie O'Neill, MP, member for Coogee, entry to Randwick and Waverley bus depots to talk with workers about the Berejiklian Government's decision to privatise bus services;
 - (b) the State Transit Authority informed Ms O'Neill that she was not permitted to speak with workers about the privatisation of buses, which has implications for their employment;
 - (c) the Rail, Tram and Bus Union held a rally with workers outside the Waverley Depot after the refusal, where Ms O'Neill, MP, was able to talk with workers regarding their concerns about the privatisation;
 - (d) privatisation of bus services in the inner west and Newcastle has already dismally failed, with worker's conditions severely deteriorated, bus routes and services have been removed, bus stops have been eliminated, and the punctuality of remaining services have considerably worsened under privatisation;
 - (e) the Government has already reduced services in the eastern suburbs such as the 378 bus, which means many people that depend on buses, including elderly individuals cannot access transport to attend health facilities and hospitals;
 - (f) the Liberal Party has not kept its election promise to bring back the 378 bus service; and
 - (g) the Premier promised during the New South Wales State election debate held on 20 March 2019 that her Government would not privatise further assets.
2. That this House condemns:
 - (a) the State Transit Authority for refusing to allow the member for Coogee to address workers at Randwick Bus Depot and Waverley Bus Depot;
 - (b) the Liberal Party for failing to keep its election promise to bring back the 378 bus in Sydney's eastern suburbs; and
 - (c) the Berejiklian Government for betraying the people of New South Wales with a promise to not further privatise any assets.
3. That this House calls on the Government to keep its election promise and not privatise any State assets, including the State's buses.

This motion is an attempt to highlight the problem with this Government's policy. It was discussed in an earlier motion moved by The Greens and I thank my upper House colleague—

The Hon. Bronnie Taylor: Bronnie Taylor?

The Hon. MARK BUTTIGIEG: —Ms Abigail Boyd. You too, Bronnie. I also thank my colleague, the Hon. John Graham, who both spoke to the earlier motion. This motion is in a similar vein but has some slightly different aspects to it. On Thursday 6 November the local member for one of the areas to be privatised, the member for Coogee, Ms Marjorie O'Neill, attempted to talk to employees at the Waverley bus depot. She was denied access on the basis that she would be talking about privatisation, which was not allowed. I am stunned that in modern Australia and in the State of New South Wales, although the people of Coogee in their infinite wisdom have elected Marjorie to represent them, she was not allowed onto the bus depot to talk about privatisation.

Members would well understand why those employees, bus drivers and bus workers would feel insecure around their impending fate, given the Government's policy and our prior experience with the privatisation of buses. It is a sad indictment of the modern state of our political arena and our democracy that a local member is forbidden to go onto a work site. The Rail, Tram, and Bus Union then held a rally outside the depot where the member was able to address workers' concerns. I also attended that rally. Those opposite should understand that over time we will ramp up this campaign. We will not go quietly about this. They have privatised almost everything imaginable under the sun. We are getting to the point of ideology gone mad.

The Hon. John Graham highlighted that Labor is not opposed to private provision in certain areas of the economy. Where the public interest is benefitted by privatisation, we will support it. But this is not one of those situations. For example, Newcastle and inner west bus routes have been privatised. I do not know what planet those opposite are living on, but anyone who has ever tried to take a private bus route on a regular basis would understand how well they work—they do not work at all. There are late buses, the non-provision of stops and the elimination of routes. It is a dismal failure and lazy policy to try to sell everything. Instead of thinking about how to efficiently use taxpayers' money to allocate resources, those opposite would just sell all our assets to spend the funds on their mates' infrastructure projects. It is ridiculous policy. Moreover, it does not work because it is not amenable to competition. It is not fruit and vegetables; it is not haircuts. It is not a naturally competitive market.

The Nationals should understand better than anyone how this works. They fought for Essential Energy to stay in public hands because it would not be economically efficient for private providers to supply power out in the sticks. We need a public provider to step in and say, "We will provide the transformers out the back of a farm. We are owned by the Government and we understand that people need power." It is the same with bus

routes. A private provider needs to turn a profit. The only way they turn a profit is to cut down on wages, employee conditions and service provision. That has been the overwhelming experience of taxpayers in this State. That is why people are opposed to it and that is why we will oppose it hand over fist. Those opposite should be backing us in because they believed in keeping Essential Energy in public hands for the same reason. If members are interested in the public interest, they should back this motion in and adopt it.

The Hon. TAYLOR MARTIN (18:24:16): I make a short contribution to this debate—it being round two after the earlier motion moved by The Greens. The October results for bus service contracts have now been released. Given the results, it is extraordinary that Labor has still chosen to move this motion. Nonetheless, every single region across Sydney and outer metropolitan areas met its on-time running key performance indicators in October—except for one. Which area was that? Region 9, which covers the electorate of Coogee. It was the only region that failed to meet its bus service contract in October. Yet, the Opposition is still focused on opposing this franchise model for ideological reasons only. The Hon. Mark Buttigieg said something about statistics not backing it up. I do not know what statistics he has. The Government's statistics to which I refer show that privatisation is entirely justified. Like I said earlier, the truth is that the best bus services in New South Wales are run by private operators. I oppose this motion.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (18:25:33): I also oppose this motion. There are two aspects to the motion: First, the ideological aspect that the member relies upon for the purposes of founding the motion—namely, the notion that a member of Parliament can rock up to a workplace and should be provided entry to that workplace. I am surprised that this idea has now crept into a new form of the Labor Party ideology, where they say members of Parliament should have unfettered rights to workplaces. They are saying, for example, that if a member rocked up to the local school, he or she should be able to walk into that school to address the employees of the school. Clearly not.

In the running of public utilities, public schools and public hospitals there are circumstances which do not allow members the unfettered right to walk up and say, "I want to address the workers because this issue affects them." There are processes for getting access to those workers and addressing them in relation to such issues. I would have thought that if a Labor Party member wanted access to workers in the bus industry, the party would have in place opportunities for that member to address the workers without necessarily rocking up to that workplace and disrupting the potential timetables of buses running out from the depot.

The Hon. Mark Latham: What if it had been the cops?

The Hon. DAMIEN TUDEHOPE: I acknowledge that interjection. Rocking up to a police station—it is quite frankly a ridiculous notion. Secondly, the Government must always make decisions about what is in the best interest of the commuters of Sydney. There is a continual approach to the assessment of bus routes. In my area of The Hills there has been an almost seismic shift in the movement of buses because the Government has introduced a new train line. Lots of people who used to catch the bus now catch the train. In the day-to-day operation of bus fleets, these changes need to be made. At the end of the day, the Hon. Mark Buttigieg rejects the idea that the Government can engage in a process to deliver public transport in a more efficient manner. That is at the heart of it; that is the Government's approach. The whole process of the Government recycling assets and engaging in privatisation is about making sure that we have a better system for the delivery of outcomes for the people of this State.

The Hon. JOHN GRAHAM (18:28:41): I will make a brief contribution, given that I contributed to the earlier motion. I only want to recap on one of my favourite estimates moments. Indeed, it underlines our concern when a member says that they are relying on statistics but they have been provided by the Government. I will tell the House why we are worried. The Minister repeatedly spoke in public about the five western Sydney regions where private buses were running on time. In budget estimates we asked him to name those five western Sydney regions. He named four of them easily—there was a bit of shuffling behind the advisers' desk to look for the fifth, it took a while—and the other turned out to be the Forest region, which runs right through Belrose. That is hardly far western Sydney. The Minister backtracked quickly and has not repeated it since. Hence members would understand our scepticism—talking about far western Sydney's on-time running, when we are talking about Belrose. I commend the motion and I commend the Minister's performance at budget estimates.

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

The Hon. MARK LATHAM (20:01:05): One Nation—which at this stage is reduced to just one member because the Hon. Rod Roberts is off on a secret mission to save democracy in other places—supports the motion on the basis that public buses are important. They are more efficient. They help the workers trudging out in their hi-vis vests at 5.00 a.m. to get to their jobs on time. I reiterate the point that in western Sydney we have never had government buses. There is a bubble in the debate—

The Hon. Damien Tudehope: A Macquarie Street bubble.

The Hon. MARK LATHAM: Posh Spice, the Leader of the Labor Party, has been talking about the Macquarie Street bubble. Taking it from ScoMo—I do not know if it will work for her as well as it did for him. But Posh is onto it, that is true. The bubble in this debate has been from The Greens earlier on. I do not think they understood that we have had no government buses ever in western Sydney. Nothing west or south-west of Parramatta. It is quite remarkable that over the years all those Labor Party resolutions for government buses have failed dismally. I moved one earlier on, which is as close as we have ever gotten on that front. Finally, the private buses in western Sydney have been so bad, so off-timetable and unreliable over the years, particularly in my experience as a young man, that it drove us much closer to using the taxi industry in western Sydney—and you all know how that ended.

The Hon. SCOTT FARLOW (20:02:48): I am not sure that I can follow that but maybe the Hon. Mark Latham should have caught some more government buses. I had the fortune of catching the 400 and the 472, which were both government buses, but they did not run particularly well. However, I must commend the good people of Pioneer Coaches. They used to run the last leg of my school bus, which always ran on time. A great private bus contractor. I was surprised to hear the Hon. Mark Buttigieg besmirch all private bus operators, which I thought was shameful.

I am advised that on Tuesday 5 November 2019 State Transit received a request from the Rail, Tram and Bus Union [RTBU] for the member for Coogee to attend meetings at State Transit's Randwick and Waverley bus depots on Thursday 6 November 2019. State Transit enquired from the union the reason for the visit. The reply indicated that the purpose of the visit by the member for Coogee was to hold talks with the workers from the Randwick and Waverley depots about the announcement. The RTBU was advised later the same day that as a public sector agency State Transit is required to remain politically neutral and that, accordingly, it would not be appropriate to have the member attending State Transit depots in her political capacity.

I turn now to the important substance of the motion regarding buses. There will be jobs for the majority of State Transit award staff with the new operators, including all bus drivers and maintenance staff, whose jobs will be guaranteed for two years. These staff will also transfer with all their accrued entitlements such as annual leave, sick leave, long service leave, superannuation and their three-year travel pass. We expect more jobs for bus drivers to be created due to the extra services that will be provided. For current State Transit non-operational senior and salaried officer positions, Transport for NSW and State Transit will work with the new operators to identify any comparable like-for-like roles. They will also work closely with these staff to maximise their employment opportunities through redeployment within the transport cluster or more broadly in the New South Wales public sector.

This bus reform program will deliver more and better services, with more driver jobs and better innovation. Over the next three years we will be putting out the contracts to operate Sydney's 13 bus regions to competitive tender. There are dozens of large Australian and international bus operators that can bring their experience to Sydney to ensure our customers are getting the very best service, which everyone has come to expect in a world-class city like Sydney. The greatest cities in the world, with some of the most iconic transport networks such as London, have this model in place. The Government does and will continue to retain control of routes, timetables and bus stop locations.

The Government will continue to set standards and monitor performance to ensure service quality. We are focused on working with customers and the community to understand their transport needs and create the right framework to deliver these services. The tenders will create an opportunity for a new generation of bus contracts that will transform bus services. It will introduce new bus networks, including innovations such as high-capacity routes and on-demand travel.

The Hon. MARK BUTTIGIEG (20:06:06): In reply: I will briefly address some of the arguments that have been put forward in the debate. Mr Deputy President said that these things are working well in private hands, all the key performance indicators are being met and everyone is happy. I am not sure who the Deputy President has been talking to, but the data we have from the New South Wales transport department found that the services have consistently failed to meet the key performance measure of 95 per cent of on-time running every month since privatisation has occurred. But one does not need to have the department tell us that. One only has to talk to the average person who has experienced privatised bus routes.

For example, we have a bus stop out the front of our place. It was privatised years ago. Every now and again my boy has to jump in a taxi to get to school because the bus does not turn up on time or does not turn up at all. When we try and complain to the Ombudsman, there is no recourse. No-one gets back to us. But this is not only happening to me. Speak to your neighbours, speak to your friends to understand what happens in reality. I agree with the Hon. Mark Latham about the distribution of those services—they are not evenly or fairly spread.

I am glad that he moved the amendment to the other motion. We sometimes get caught up in services for the Sydney metropolitan and inner city areas. It is a very valid point and I support it wholeheartedly. The Hon. Damien Tudehope said something to the effect that a local member being able to go onsite was ridiculous. The Hon. Scott Farlow touched on this point also. As a former union official I can say often we would bring local members of all political persuasions onto worksites to discuss those very things.

The Hon. Damien Tudehope: Yes, but you had legislative authority to do it.

The Hon. MARK BUTTIGIEG: We had permission from the employer. The employer can grant access. The problem is we have a State that wants to limit freedom of speech and democratic dialogue by telling a local member who has been democratically elected that they cannot get on the site. The most pernicious thing about all this, which was not raised in the previous debate, is that your leader promised there would be no more privatisation, "No, no. We have not said it, so we will not do it." We all remember the quote. Then not five months later the bus service is being privatised. It is unacceptable. That is why we have moved the motion. It is an important issue. I urge members to support the motion.

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

The House divided.

Ayes18
Noes13
Majority.....5

AYES

Boyd, Ms A
Donnelly, Mr G
Graham, Mr J
Latham, Mr M
Moselmane, Mr S
Primrose, Mr P

Buttigieg, Mr M (teller)
Faehrmann, Ms C
Hurst, Ms E
Mookhey, Mr D
Nile, Revd Mr
Searle, Mr A

D'Adam, Mr A (teller)
Field, Mr J
Jackson, Ms R
Moriarty, Ms T
Pearson, Mr M
Veitch, Mr M

NOES

Fang, Mr W
Franklin, Mr B
Maclaren-Jones, Mrs (teller)
Mitchell, Mrs
Ward, Mrs N

Farlow, Mr S
Harwin, Mr D
Mallard, Mr S
Taylor, Mrs

Farraway, Mr S.J. (teller)
Khan, Mr T
Martin, Mr T
Tudehope, Mr D

PAIRS

Houssos, Mrs C
Secord, Mr W
Sharpe, Ms P

Amato, Mr L
Cusack, Ms C
Mason-Cox, Mr M

Motion agreed to.

Documents

DEMOUNTABLE CLASSROOMS

Correspondence

The CLERK: I table correspondence from the Secretary of the Department of Premier and Cabinet relating to an order for papers regarding demountable classrooms, dated 14 November 2019, stating that no documents covered by the terms of the resolution are held.

WESTCONNEX**Return to Order**

The CLERK: According to the resolution of the House of 17 October 2019, I table documents relating to an order for papers regarding WestConnex contracts, received this day from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

Claim of Privilege

The CLERK: I table a return identifying those of the documents that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

*Bills***DESIGN AND BUILDING PRACTITIONERS BILL 2019****First Reading**

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

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

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

Declaration of urgency agreed to.

The Hon. DON HARWIN: I move:

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

Motion agreed to.

*Motions***PARLIAMENTARY SERVICES**

The Hon. ADAM SEARLE: I move:

That private members' business item No. 336 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. ADAM SEARLE (20:22:07): I move:

1. That this House notes:
 - (a) continuous cuts over recent years to the resources of Hansard, as well as other operations of the Parliament, including the library and research services;
 - (b) the reduction of full-time staff and their replacement by casual, temporary and part-time staff in Hansard and other areas of the Parliament (including the attendants in the Legislative Council) is now reaching a stage where it will have a negative impact on both the quality of service provided to members and to the broader community and on the morale of those staff who perform this important work; and
 - (c) the recent announcement of trial changes to the provision of *Hansard* transcripts in the Legislative Assembly which will result in the official record of debate in that House being delayed for days or even weeks.
2. That this House affirms that:
 - (a) every community that elects members to represent them in Parliament has the right to access for themselves a timely transparent and accurate account of the matters their representatives are debating, so that they in turn can be discussed, debated and examined;
 - (b) timely access to the record of parliamentary debate is a vital cornerstone of our democracy;
 - (c) the people of New South Wales deserve a Parliament that is properly staffed and resourced;
 - (d) members of this House require a timely, full and accurate account of the debate in the other place particularly when considering legislation originating from that Chamber; and
 - (e) members of the Legislative Council greatly value the current prompt and efficient service provided by Hansard which allows its members to receive complete transcripts of both its own proceedings and those of the Legislative Assembly soon after sittings have concluded.
3. That this House strongly affirms the value of a dedicated Hansard service directly employed by the Parliament.
4. That a message be sent to the Legislative Assembly informing them of this resolution.

This motion speaks for itself. It speaks to the years of assault by the Executive Government on the resources of the Parliament but particularly those in Hansard. Hansard is a vital facility that records almost contemporaneously the proceedings in each Chamber not only so that members have a timely and accurate record of what is said in Parliament but also so that the community who elects representatives to the Legislative Assembly and the Legislative Council may also know what their elected representatives are doing and can subject those undertakings to scrutiny, discussion and evaluation. Quite often public reaction to what takes place in the Parliament shapes the ultimate passage of events.

This motion does not only speak to Hansard. Over a number of years we have seen cuts to resources. People who leave are not being replaced and full-time equivalent staff are being replaced with part-time or casual members of staff. That is not a reflection on their diligence or their work output but on the insecurity of the work that they are now subjected to. Of course, this has spread to other areas of the Parliament. As staff have left the library they have not been replaced, which has put pressure particularly on the research services. My first encounter with the research service in this Parliament was as an Opposition staffer in 1994.

It is a truism that it is mainly non-government members who use that research service because they do not have access to Executive Government departments to do their research for them. The quality of the work that they perform is very high, and the timeliness with which they turn around even quite onerous and sophisticated requests is humbling. In the eight-plus years that I have been a member of Parliament the resources available to them have been whittled away to the point where the time frames get longer and the pressure on them gets more extreme. Even today an announcement was made about rationing when members may access stationery, and that the loading dock staff who receive deliveries are now being cut back. It does not matter where you turn, the efficiency dividend affects us all.

The Presiding Officer of this Chamber had a modest success a year or two ago when the 3 per cent efficiency dividend was reduced to 2 per cent. But in a pay-back-with-interest kind of way, Treasury imposed a 4 per cent dividend this year. I note that in response to quite a stinging letter from the Opposition manager of business in the other place, Mr Ryan Park, MP, the Speaker of the Legislative Assembly said:

I am pleased that we have just been exempted by Treasury from any general efficiency dividends on our operational budget for this financial year.

I hope that is true but I am not so sure that Treasury has confirmed that yet. If it is true, it is because of the pressure that is being put on members of all non-government parties and, indeed, even some Government parties, to address those concerns. Apart from Hansard and the research service, it would be remiss of me if I did not mention the attendants. The attendants in this place fulfil a vital service. The attendants in the Legislative Council were cut back at least by two. The informal understanding was that those positions would be reinstated for the sittings of Parliament. To my observation of bodies on the ground during sitting days, that has not happened.

Many of the vital but perhaps unheralded services in this building—whether it is Hansard, research staff or the attendants—have been constrained and cut back over time, which impairs the ability of members to do their work. The people of this State deserve a Parliament that is properly staffed and resourced. This is not a case of a special interest pleading; this is the Parliament of the State where important matters are discussed and where laws are made and on occasions unmade. Timely access to the record of parliamentary debate is a vital cornerstone of our democracy. If we do not have that there is a lack of scrutiny. I will leave my comments there, but I urge all honourable members to join with me in sending a clear message.

The Hon. MARK LATHAM (20:27:34): I am pleased to support the motion moved by the Leader of the Opposition and to add to his observation about the importance of Hansard as a vital community resource in the accountability of the Parliament. One would hope that it also makes members be more concise, accurate and considered in their comments as it becomes a permanent record. An important part of the Westminster tradition has been the availability of Hansard to check what others have said and then hold them to account not only at the community level but also internally in the Parliament.

It is interesting to think of the history of Hansard. In the 1700s in Westminster in London, it was a breach of parliamentary privilege to publish any of the reports of the Parliament on the basis that the Parliament saw itself as a secretive club. That is how bad it was. Talk about bubbles! That was the Westminster bubble and people were put in the Tower of London for breaching this privilege of the Parliament which regarded itself as a secretive club. I suppose it was a men's club back in those days. Members saw themselves as so elite and removed from the people that they would not have any of their debates published in a public forum.

I understand the word "Hansard" comes from a man named Thomas Hansard, who effectively was the first one to get away with publication. His family became the printers of the House of Westminster, and it went on from there. I was horrified to hear of this cost-cutting measure in the Legislative Assembly. The Speaker sees himself as something of an innovator. Maybe he is, but taking away Hansard is the wrong kind of innovation. He

has some other ideas that are worthy of support but this is a foundation stone tradition of our Parliament that should never be touched.

I pay tribute to the Hansard staff, who do a wonderful job with limited resources. They are so integral to our democracy that it would be a tragedy to lose them. To hear that there is a new system in the Legislative Assembly—I suppose some members like the idea of publishing and rewriting their own speeches so they can make it up as they go along, but that is not what a Parliament is. We do not want to get closer to being like a local council, where there is no record of what people actually said and you rely on the fake news media to misrepresent your words. Hansard is always accurate. We should rely on it, trust in it and always preserve it as one of the foundation stones of our democracy.

Reverend the Hon. Fred Nile: Hear, hear!

The Hon. MARK LATHAM: Some former members would be horrified. Plenty of people would be turning in their graves. What would Gough Whitlam have had to annotate and edit if there had been no Hansard—and others who have taken the record seriously? This is an abomination and I am so pleased that the Leader of the Opposition has brought this motion. I hope that sense is seen and heard in the other place to restore Hansard to its proper permanent, dignified and important role. Certainly in this fine debating Chamber such a thing should never, ever happen.

The Hon. JOHN GRAHAM (20:30:32): I strongly support the comments and the motion that have been put before the House by the Leader of the Opposition. I certainly agree with all of the comments about the Hansard staff. Briefly, I will put the issue in a slightly broader context, which is the role of a range of independent bodies that provide some oversight and critique of the role of the Executive in New South Wales. I am talking about bodies such as the Independent Commission Against Corruption, the Law Enforcement Conduct Commission, the Audit Office of New South Wales, the NSW Electoral Commission and the NSW Ombudsman.

All of those bodies, like the Parliament, play an important and independent oversight role. A number of them—in fact, the majority of them—have also drawn attention to similar issues, which are causing the tensions that the Leader of the Opposition is drawing attention to. That is of concern to me. It is also, I think, of concern to the Parliament. It is one of the reasons that the Public Accountability Committee of this place has decided to inquire into the matter. As that inquiry proceeds it will certainly be of interest to members. It will certainly examine the issue of how those independent bodies, which are fundamental to trust and to the way this place works, operate and how they are funded in the longer term.

Reverend the Hon. FRED NILE (20:32:13): I support the remarks made by the Leader of the Opposition. During my time here I have learnt about the importance of the staff who service us, the pressure they are under now with our expanded committee system and the large number of inquiries, and how they are struggling under that pressure. As far as I can observe, they never complain. It is important that the budget for the Legislative Council be carefully reviewed by the Executive Government to make sure that the funds are available so that both the staff and the members of this House can properly carry out their role. I fully support the motion moved by the Leader of the Opposition.

The Hon. ADAM SEARLE (20:33:12): In reply: I thank honourable members for their brief contributions. In particular, I draw the attention of members to paragraphs 1 (c) and 4 of the motion. As the Hon. Mark Latham indicated, apart from the continual pressure on the Parliament's resources that we have been discussing, the flashpoint or catalyst for this resolution was the innovation by the Speaker in the other place to have so-called non-critical or non-urgent matters transcribed on non-sitting days. Obviously, who decides what is non-critical is a difficulty because what may be not critical to one member may be a matter of vital import to another member and their local community. But the idea that members might wait not just days but, in some cases, weeks for a full transcription of what has taken place in Parliament on a given day is not acceptable.

Reverend the Hon. Fred Nile: Shameful.

The Hon. ADAM SEARLE: It is shameful. I acknowledge that interjection. Without being overly dramatic, it is a slippery slope because the less scrutiny there is of Parliament and of the Executive, the more there is the tendency for Executive Government—not only Ministers but also the public service—to try to get away with more things. If the light of scrutiny and the public gaze is upon them and upon us, there is a greater chance that the level of debate would be lifted in this place and the other place. The level of scrutiny would lead to an overall increase in good government—at least that is the theory.

We resist not only the change put in place by the Speaker in the other place but also the continual pressure and whittling away of resources to all members in both Chambers. I hope that the fact that no Minister or Government member has spoken against this motion means that there is a cross-party amity in support of the sentiments embodied in the motion. That will send a very clear message about his particular innovation not only

to the Speaker in the other place but also to the Executive Government as a whole that a free and fair democracy needs to have a properly resourced Parliament available to its people in the wider community. With those comments I urge honourable members to support the motion.

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

Motion agreed to.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. NATASHA MACLAREN-JONES: On behalf of Mr David Shoebridge: I move:

That private members' business item No. 360 outside the order of precedence be postponed until the next sitting day.

Motion agreed to.

Motions

SYDNEY AIRPORT WORKERS

The Hon. MARK BUTTIGIEG: I move:

That private members' business item No. 353 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. MARK BUTTIGIEG (20:37:00): I move:

1. That this House notes that:
 - (a) on Thursday 8 November 2019 workers at Sydney Airport and airports around Australia protested the refusal of airports to address unfair and unsafe working conditions;
 - (b) airport workers such as customer service and check-in staff, airline caterers, cleaners, security personnel, cabin crew and refuellers highlighted that airports are failing to address low wages, chronic understaffing resulting in safety issues, the absence of secure and fulltime employment and large amounts of staff turnover;
 - (c) Sydney Airport earns extremely large profits, in the most recent reports regarding annual net profits, a 6.5 per cent increase to \$372.5 million was recorded and group revenues increased to 6.8 per cent at \$1.58 billion;
 - (d) \$1.24 billion in parking fees have been charged by Sydney Airport over the last decade and the Australian Competition and Consumer Commission reported that Sydney Airport made \$181.00 per minute last year from car parking alone;
 - (e) Sydney Airport is positioned at the highest point of the aviation supply chain, directly and indirectly influencing control over the whole industry. Airport contracts often undermine the wages and conditions of workers; and
 - (f) workers at Sydney Airport want safe jobs, regular hours and permanent employment and the greatest prospects to maintain full-time hours.
2. That this House condemns Sydney Airport:
 - (a) for failing to provide decent working standards and conditions;
 - (b) for allowing contracts and tenders to undermine worker's conditions, wages and the safety standards of the airport; and
 - (c) for failing to provide sufficient training to ensure workers can fulfil their duties in a safe manner without being subject to injury.

Workers in our country's airports are being exploited. On Thursday 8 November 2019 the Transport Workers' Union took action to protest their substandard working conditions. I was proud to stand with those workers at Sydney Airport. They were bringing attention to the absence of safe and decent working conditions and the lack of fair wages and job security whilst airports are making billions. Sydney Airport is positioned at the highest point of the aviation supply chain. The airport is therefore directly and indirectly influencing control over the entire industry and the contracts that are issued for workers. The result is that airport contracts undermine the wages and conditions of customer service and check-in staff, airline caterers, cleaners, security personnel, cabin crew, refuellers and more.

Work should not be contracted out for the lowest possible cost. The airport should not be permitting contracts and tenders to undermine the safety standards of the airport and the wages and conditions of workers. Sydney Airport continues to overlook those workers and refuses to act on the serious issues that workers are facing. The airport is ignoring high staff turnover, chronic understaffing resulting in safety issues, the absence of secure and full-time employment and low wages. A large number of workers are being paid substantially below

award rates. They are distressed over insecure work and many have only been provided the option of part-time work for years. Swissport, formerly Aerocare, is a large company that earns billions in profit and is owned by the Chinese conglomerate HNA Group and it has treated its staff of more than 326 at Sydney Airport appallingly. Drivers, ramp workers, baggage handlers, cleaners, check-in staff and caterers have been pushed into conditions of poverty and are receiving pay rates for weekends and public holidays that are lower than the award.

A number of their workers are only guaranteed 60 hours per month. Disgracefully, they give workers three-hour shifts and split shifts. This results in airport workers often working 15 hours over each day and only being paid for six hours work. It forces workers to sleep on floors in the airport loading docks to get through days that they are not being adequately paid for. Split shifts and chronic understaffing at the airports are also risking worker and public safety every day. At Sydney Airport, among the Aerocare-Swissport staff of over 326 workers there have been 134 instances of injury. High turnover rates from terrible working conditions equates to an absence of skilled and practiced staff with full security clearance, which puts security at risk each day.

The injuries, the high turnover and understaffing are a direct consequence of poor working conditions. Airports across our country make billions in profit. They should not be leaving workers in poverty with unsafe insecure conditions. Reports demonstrate that Sydney Airport had an annual net profit of \$372.5 million, which is a 6.5 per cent increase. Group revenues increased 6.8 per cent to \$1.58 billion. Sydney Airport has charged \$1.24 billion in parking fees over the last decade. Surely they can make certain that they are not undercutting workers and allowing families to struggle. It beggars belief why the House would not adopt the motion.

The Hon. Wes Fang: Other than it is a Federal issue.

The Hon. MARK BUTTIGIEG: I can understand that the previous motion was a direct criticism of the Government and it is a bit precious about its privatisation agenda. It is very defensive, so I understand it would not want to adopt the previous motion. This motion condemns a monopoly company that is exercising monopoly power over the airport and the ability to issue contracts. That results in competition for contracts at that airport and the only way to be competitive is to make staff and employees suffer through substandard conditions and wages. They are sleeping on floors overnight in the airport. It is unheard of. Why members would not adopt this and condemn Sydney Airport for its treatment of staff while making obscene profits and charging car parking fees hand over fist, I will never know. I urge members to support the motion.

The Hon. SCOTT FARLOW (20:42:09): I must pay the Hon. Mark Buttigieg credit for persisting with matters on behalf of the union movement. There is consistency in his approach and I commend him for it. Having said that, there are some issues with this motion. I note the Hon. Wes Fang is present in the Chamber and may wish to contribute to the debate. Many of the matters raised have nothing to do with the State Government and largely to do with the Federal Government. Without any due diligence that accompanies investigations by regulators, members are expected to condemn serious allegations without any information or insight from the authorities. Issues affecting the safety of workers should be raised, investigated, dealt with and resolved by the relevant regulators, not in this Chamber. Inspectorates of regulators are empowered to enter workplaces and investigate. It is their role to assess the evidence and determine whether concerns are substantiated. If there are concerns then those regulators can and will act to protect workers.

SafeWork NSW is responsible for and holds the largest inspectorate in Australia. A significant investment has been made by the Government in building the inspectorate's capability and experience. In 2018-19, 134 prosecutions were commenced by SafeWork NSW. That number is up from 130 being commenced in 2017-18 and 62 in 2016-17. The number has more than doubled in three years. In fact, I bring the attention of members to a previous investigation conducted by SafeWork NSW into conduct at Sydney Airport, specifically into complaints made by the Transport Workers' Union against Aerocare. SafeWork NSW launched investigations in 2017 following a report on the ABC 7.30 program airing claims by the TWU that Aerocare doctored safety records, compromised passenger safety and made workers sleep in "third world conditions".

I remember one TWU official who was in trouble and lost his security accreditation for letting journalists into Sydney Airport. According to Tony Sheldon, the then head of the TWU, workers were "struggling on slave wages and sleeping on bed rolls". That claim has been made again in this motion. The SafeWork NSW investigation dismissed the TWU's claims after finding no breaches. Civil Aviation Safety Authority investigated breaches relating to safety and following undercover surveillance noted that breaches "were unable to be substantiated in any systemic manner". The Hon. Mark Buttigieg, if he has such evidence, should present it to the proper authorities. The member should take his allegations to the regulator and leave it to them to conduct an investigation or stop bringing those sorts of motions to the House. I do not think it is appropriate that this House seeks to pre-empt the regulator's findings and on that basis I urge all honourable members to oppose the motion.

The Hon. WES FANG (20:45:07): Is this what Thursday has become now? We come to this House to debate private members' motions and we are discussing a Federal issue raised by the Opposition. We are talking

about Sydney Airport and we are talking about Federal issues. What are we going to do? Are we going to condemn Sydney Airport? Is that what the member wants to do?

The Hon. Mick Veitch: You want to debate the National Party—talk about wasting private members' time!

The Hon. Bronnie Taylor: Point of order: I ask the Chair to remind members that interjections are disorderly at all times. Everyone has the right to be heard.

The DEPUTY PRESIDENT (The Hon. Taylor Martin): I remind all honourable members that interjections are disorderly at all times.

The Hon. WES FANG: This is an example of the hypocrisy of those opposite. They come to this place when in opposition at a Federal and State level and criticise, but when they were in power at a Federal and State level they had the opportunity to do something about it. I ask those opposite: When you were in government federally why did you not have your masters in the Federal sphere do something about Sydney Airport? They have waited until they are in opposition in both Federal and State governments before asking members to condemn the airport. Those opposite have waited to complain so they can claim they cannot do anything about it. Why not do something about it when you are in power? Those opposite are all talk in this Chamber, condemning the Government on a Federal issue that this Government has no power to deal with. They are wasting everyone's time on a Thursday night when we should be doing the good work of the State.

This is what Thursdays and private members' business has become. The member is condemning a private entity about a Federal issue in the New South Wales upper House. Is this not the perfect example to show the people of New South Wales that those opposite are not fit to govern? This is the sort of abuse they put up in the House. This is the time-wasting rubbish that is put before the House on a Thursday night when there are so many other issues to deal with. Members opposite should be ashamed of themselves. I urge members to vote against the motion.

The Hon. MICK VEITCH (20:47:36): What a wonderful moment. Members have just seen the Hon. Wes Fang in full flight. He was leaning on the lectern, speaking into the microphone, which is great stuff to watch. It will be a great visual. At least we have Hansard to record it. The Hon. Wes Fang said that private members' day is a waste. Does the member recall what the previous motion was about? Is that a waste of private members' day? The member said this is what it has become. We now have the Hon. Wes Fang in full flight. It is excellent to observe. It is called private members' day because private members can bring whatever business they wish before the House. That is what private members' day is.

The honourable member has been here for a blink, yet he lectures members in this House on what they can do on private members' day. I will tell the Hon. Wes Fang that it is called private members' day so that private members can bring forward business that interests them. This is the real issue: If the honourable member does not think that the conditions at Sydney Airport affect the residents of New South Wales then he should not be in this place. The residents of New South Wales are impacted. Here is an alert for him: They are impacted by the issues at Sydney Airport.

Reverend the Hon. Fred Nile: Hear, hear!

The Hon. MICK VEITCH: This House is about the residents of New South Wales. If that is all too deep and detailed for the Hon. Wes Fang, if he cannot understand the depth of the debate, maybe he needs to find another place to be. I support this motion. I want to see more contributions from the Hon. Wes Fang where he leans into the lectern and spits into the microphone because that was great audio and vision for everyone.

Reverend the Hon. FRED NILE (20:49:41): Some members have referred to the high parking charges at Sydney Airport. Obviously that has become a real money maker for Sydney Airport Corporation. It seems that every time you go to the airport the prices have increased and the availability of parking spaces has decreased. I believe a spotlight should be shone on the operators of Sydney Airport because, as the airport for New South Wales, it is a prime concern for each of us.

The Hon. MARK BUTTIGIEG (20:50:28): In reply: I thank members who contributed to the debate and I also thank my colleague the Hon. Mick Veitch for his contribution. He is right. The Hon. Wes Fang tried to argue that it was invalid for me to highlight in this House exploitation occurring at Sydney Airport, which services the people of New South Wales and, obviously, employs, by way of subcontract, thousands of workers on substandard wages and conditions. It is a valid issue to highlight if for no other reason than to expose the practices that are going on and embarrass Sydney Airport into doing something about it. That is the utility of the motion. If members want to know why I have moved it, that is the reason. I thank the Hon. Scott Farlow for acknowledging my consistent approach. I have news for members: It is not going to stop.

As for the reference to SafeWork NSW, I appreciate that in the world of New South Wales bureaucracy and practice those who may not have experienced the output and the delivery of SafeWork NSW may not understand how it works. When I was a union official, it was no walk in the park to get SafeWork NSW to do something tangible on behalf of working people. Thank God for unions. Often they have to go cap in hand to beg SafeWork NSW to investigate and act. It does not surprise me at all that in a case like the one referred to, where it would have been raised, SafeWork NSW did nothing about it. In my seven years as a union official at the Electrical Trades Union, we did not have much success at all with SafeWork. The regulatory regime is inadequate. For members of this House who sit on the committee inquiring into the building industry and who have heard stories coming out in evidence about practices that are going on, it will be no surprise that SafeWork NSW is not working. The agency is under-resourced, does not have enough teeth and, in my opinion, does not undertake its job properly.

The comments made by the Hon. Scott Farlow make sense at a technical or theoretical level but they do not work in practice. It is incumbent on this House to expose this sort of exploitation. Maybe Sydney Airport will take notice when the Parliament starts raising it in the public arena and do something about it. I commend the motion to the House and ask for members' support.

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

The House divided.

Ayes17
Noes12
Majority.....5

AYES

Boyd, Ms A
Donnelly, Mr G
Graham, Mr J
Mookhey, Mr D
Nile, Revd Mr
Searle, Mr A

Buttigieg, Mr M (teller)
Faehrmann, Ms C
Hurst, Ms E
Moriarty, Ms T
Pearson, Mr M
Veitch, Mr M

D'Adam, Mr A (teller)
Field, Mr J
Latham, Mr M
Moselmane, Mr S
Primrose, Mr P

NOES

Amato, Mr L
Farraway, Mr S.J. (teller)
Maclaren-Jones, Mrs (teller)
Mitchell, Mrs

Fang, Mr W
Harwin, Mr D
Mallard, Mr S
Taylor, Mrs

Farlow, Mr S
Khan, Mr T
Martin, Mr T
Tudehope, Mr D

PAIRS

Houssos, Mrs C
Jackson, Ms R
Secord, Mr W
Sharpe, Ms P

Cusack, Ms C
Franklin, Mr B
Mason-Cox, Mr M
Ward, Mrs N

Motion agreed to.

Business of the House

POSTPONEMENT OF BUSINESS

Reverend the Hon. FRED NILE: I move:

That private members' business item No. 139 outside the order of precedence be postponed until the next sitting day.

Motion agreed to.

Motions

ASSET PRIVATISATION

The Hon. SHAOQUETT MOSELMANE: I move:

That private members' business item No. 288 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. SHAOQUETT MOSELMANE (21:02:26): I move:

1. That this House notes that:
 - (a) in a blistering attack on privatisation, Australian Competition and Consumer Commission Chairman Mr Rod Sims said that the sale of ports and electricity infrastructure had caused the public to lose faith in privatisation and deregulation;
 - (b) selling public assets has created unregulated monopolies that hurt productivity and has caused severe damage to the economy;
 - (c) Mr Sims said privatising ports, including Port Botany and Port Kembla in New South Wales, were examples where monopolies had been created without suitable regulation to control how much they could then charge users;
 - (d) deregulating the electricity market in New South Wales has seen power prices almost double over five years; and
 - (e) Mr Sims said he was growing "exasperated" as governments including the Commonwealth became more explicit in trying to maximise proceeds from asset sales.
2. That this House notes that excessive privatisation of public assets has created unregulated monopolies that hurt productivity, increase prices and damage the economy.

By moving this motion I express my ongoing opposition to the Government's privatisation spree. I concur with Rod Sims, who is known as a former advocate of privatisation, in his assessment of the terrible impact that privatisation and deregulation have had on communities and the economy alike. I have never had faith in the principle of privatisation of public monopoly assets.

The Hon. Don Harwin: Like electricity generators, which you sold?

The Hon. SHAOQUETT MOSELMANE: I am saying I am. The basic principle behind privatisation, they tell us, is that private enterprise tends to foster competition and more efficient practices that eventually yield better service and lower prices, the accumulation of which ultimately benefits the consumer. This may be so in theory but in reality this is deceitful, particularly with the privatisation of monopoly assets. Unless privatisation occurs in competitive and regulated—

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

The Hon. SHAOQUETT MOSELMANE: Mr Deputy President, can you ask the Leader of the Government to be silent while I make my speech?

The Hon. Adam Searle: Point of order—

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

The Hon. SHAOQUETT MOSELMANE: Mr Deputy President, ask him to sit there silently.

The DEPUTY PRESIDENT (The Hon. Shayne Mallard): Order! The Hon. Shaoquett Moselmane will resume his seat and will not instruct the Chair. The Leader of the Opposition has taken a point of order. I will hear the point of order.

The Hon. Adam Searle: The point of order is that interjections are at all times disorderly. The Leader of the Government lost control of himself. He should be called to order.

The DEPUTY PRESIDENT (The Hon. Shayne Mallard): Order! I uphold the point of order. All members will hear the Hon. Shaoquett Moselmane in silence and will not interject. The Hon. Shaoquett Moselmane has the call.

The Hon. SHAOQUETT MOSELMANE: Thank you, Mr Deputy President. This is not the first occasion on which the Government has decided to sell profitable and well-operated public assets to line the pockets of the few in the private sector. We need only to look at the public assets the Government has sold so far—power stations, poles and wires, major ports, public housing and even a major part of the State's road networks—to know that is true. I would have thought that one of the key functions of the Government is to provide universal services at affordable rates. Sectors such as health, education and water supply are best delivered when community benefits are the main objectives, not profit as the bottom line. Certainly small-scale privatisation may bring some general benefit from competition, but only if regulated. But that is overridden by those in the private sector who collude and twist the tap more and more, ensuring that little, if any, of the trickle-down effect to the consumer is passed on in the form of lower prices.

The Government needs to ask itself: Are we in the business of providing basic public services to protect the public interest or are we in the business of promoting corporate profits? The Berejiklian Government's privatisation ambition is focused on bleeding the public sector to death by selling every conceivable public asset. The Government's short-term thinking has very real cost-of-living consequences for consumers and the economy. What were the outcomes of the privatisation of Port Kembla, Port Botany and Port Newcastle? Mr Deputy President, I can tell you. Essentially the sale led to the establishment of a private anti-competitive monopoly of container movements in Port Botany, but not only that. Now the Port Botany private operator wants to establish facilities to enable cruise ships to enter the port. The benefit that would have come to the public now instead is going to the private sector. The falsehood of creating competitive markets through privatisation is exacerbated when price hikes of up to 60 per cent were charged to users to access the port. This alone demonstrates how privatisation of State monopolies, without adequate competition or regulation, can exploit consumers with inflated prices and can severely damage the economy for short-term government gain.

The Government boasts of surplus budgets, being debt-free and investing in the most infrastructure projects by selling off public assets. This Government has sold everything. There is nothing left to sell, except that the Government is thinking about selling railway lines, maybe local parks and local schoolyards. What else is there to sell? The bottom line for this Government is profit. That should never be achieved at the expense of the people, yet that is what we have witnessed across multiple industries. Far from boosting competition, privatisation has ruined the State. [*Time expired.*]

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (21:07:39): It is amazing that the Hon. Shaoquett Moselmane wants to litigate in this place an argument that came and went many years ago. The fundamental point about the manner in which this Government has run a responsible economy is that it has delivered a State that has negative net debt, which has a surplus, and which is spending \$93 billion on renovating the State predicated upon getting the State's finances in a proper and sustainable state. It did not happen by accident. It happened as a result of good government, good policy-making and good strategy—in fact, making tough decisions in circumstances in which tough decisions had to be made. The first term of the O'Farrell Government was a difficult period for that Government because—guess what—it came to government in circumstances in which the economy was in absolute disrepair.

That has been turned around by a process of asset recycling which has delivered the opportunity for renovating this State. Today we have major projects being delivered everywhere and the delivery of new schools, new hospitals, new roads and new transport systems all because of the economic management of the O'Farrell Government, the Baird Government and now the Berejiklian-Barilaro Government. It cannot be stated highly enough that that process and the asset recycling process which has been adopted have delivered that level of improved opportunity for the citizens of this State.

But it gets better. It is like selling a good set of knives because you get another one free. The manner in which we have delivered the asset recycling not only has delivered the infrastructure but also opportunities for future generations because the establishment of the NSW Generations Fund and investing for future generations from asset recycling has created the circumstances where we will not be saying to our children that they will pay off the debts of this generation. Responsible economic management has delivered us a triple-A credit rating, surpluses, negative net debt and great infrastructure. How can you argue with it?

Ms ABIGAIL BOYD (21:10:42): The Greens support this motion. We agree that privatisation of public assets has reduced productivity and increased prices for the community. Of course not everyone has been a loser from the sell-offs. Huge corporations and wealthy individuals have made a killing. One of the best examples is the sale of Vales Point power station which we know well in this House. It was bought for just \$1 million in 2015 by Sunset Power and Trevor St Baker. Two years later they revalued it at \$730 million. The shareholders then lined their pockets with nearly \$40 million through a share buyback.

The public is not fooled. In 2015 polls were conducted in the lead-up to the electricity sell-off in New South Wales. In South Australia, only 8 per cent said they were better off after 20 years of privatisation. In Victoria, just 14 per cent said they were better off. The flip side though is that despite decades of propaganda, renationalising assets and putting them back in public hands is becoming increasingly popular. In 2016 the British Labour Party took to its election a commitment to renationalise water, electricity, gas and rail industries. It was the first time in recent memory that a major political party in a comparable country had taken a strong anti-privatisation agenda to the people. The Conservatives were reduced to minority government and Labour won the biggest swing since World War II.

In addition to giving away the store and ripping off the community, privatisation has stripped the Government of its independence, making it dependent on external profit-driven bodies. Privatisation has also gutted the internal skills and knowledge resources of the public service. But of course the work that public servants used to do still has to be done. Documents released in 2018 showed that the Liberal-Nationals Government had

spent almost \$2 billion of public funds on external consultants and temporary staff since 2011. The Government continually claims that this is a great deal for the people of New South Wales. However in August it was revealed that at least one of these consultancy firms was charging up to \$16,000 per day to advise on work the Government used to do itself. For these reasons—and so many others—we support this motion.

The Hon. MARK LATHAM (21:13:00): I move:

That the motion be amended by inserting at the end:

3. That this House:
 - (a) condemns the failure of the Baird Government's electricity privatisation program to give New South Wales a market structure delivering energy security and price affordability;
 - (b) notes with concern the inevitability of electricity market failure when private companies have been allowed to manipulate supply, prices and sector competition for rent seeking profits, while also milking poorly directed government subsidies; and
 - (c) urges the Government to correct these massive market failures by re-entering the market as a significant electricity generator and supplier.

My amendment focuses specifically on the failure of the Baird Government's electricity privatisation program and notes the way we have got electricity market failure as a result of private companies manipulating the market and milking poorly directed government subsidies. To give an example of the poorly directed government subsidies, last year AGL Energy Ltd earned a profit of \$1.6 billion. Yet somehow it has been shortlisted by this Government for a so-called Emerging Energy grant funded by the New South Wales taxpayer to give the company some form of battery storage at its Broken Hill solar farm.

The company invested in solar at Broken Hill, knowing that solar surges into the grid in the middle of the day and at night it surges right out. Nothing goes in. This is the curtailment problem that destabilises the grid. A company that earned \$1.6 billion last year surely could fund a rectification of its own problem. It is not going to be storing the battery, it is going to be trying to smooth out the curtailment problem. That is just hopeless but it is indicative of how—because of the failure of the Baird Government privatisation which did not establish proper competitive market signals, the normal use of supply and demand and the pricing mechanism for an essential service such as electricity—these companies are in the box seat.

This Government has put them there to manipulate the market. AGL Energy Ltd is engaged in one of the worst private propaganda exercises ever. Last week the company announced a 15-year battery storage deal that it claims is the coming of the age of the battery. Do members know for how long the battery storage would power up the New South Wales economy? One minute—half of the time for which I have been speaking. The Government has left itself open to a company like AGL Energy Ltd shorting the market, manipulating price and driving up the costs for consumers, while at the other end cashing in on Government subsidies for things that a company which made \$1.6 billion last year should be doing for itself. I have a graph and I know I cannot wave it around as it will be classified as a prop. It is from TransGrid and it shows a growing gap between peak demand for electricity in New South Wales and dispatchable generation, where it essentially falls off the cliff in 2035.

I call it the "Harwin Horror Gap" because it is the legacy that this failed energy Minister has left in New South Wales. We are at severe risk of blackouts and of failed privatisation, a hopeless market situation which will drive the State economy into the ground. If something is not done about it through the Government getting back into generation, probably through nuclear, this State is heading to fall off a cliff itself—*[Time expired.]*

The Hon. MARK BUTTIGIEG (21:16:15): I am sure we will have something to say about the Hon. Mark Latham's amendment in due course. As a general proposition, the issue raised by the Hon. Shaoquett Moselmane is a valid one. These things are always a matter of degree. In terms of what is happening in New South Wales and Australia more broadly, this has gone too far. The Labor Party has never argued that we should have a fully socialised government-owned economy. Even in the Chifley days it was only about nationalising the commanding heights of the economy. Nobody was suggesting we nationalise apples, oranges, butchers and the rest of it.

This stuff stems from people who do not have much real-life experience. They go to university, study free-market economics and think they can apply it in the real world. It does not work because a free market can only occur where you have ease of entry and ease of exit. In natural monopolies like electricity and water—and we talked about the bus routes earlier—rail, or where there are market goods or externalities that otherwise would not be provided for by the private sector, like education and health, the Government owns them on behalf of the people. And the Government is accountable to the people. Electricity provision and other essential services—like water, health and education—are things that cannot be compromised and should be owned by the Government.

The Government can do it better because it can marginal-cost price a monopoly but also because it is directly accountable to the people at each election. The private sector does things excellently in a whole range of areas, enabling a good provision of quantity and price because there is genuine competition. But you do not sell off those sectors of the economy that are not amenable to competition. As the Hon. Mark Latham points out, all that happens is you transfer a powerful economic entity out of public hands into private hands and the Government surrenders control of the economy to private entities which make a mess. Then there is nobody else to pick up the pieces so you have to put in layers of regulation to try to fix the mess. It does not work. It is an abject failure and the Government should wake up to this ideological hobby horse it is on and stop it. People have had enough and they do not want to wear it any more.

The Hon. ADAM SEARLE (21:19:21): I make a brief contribution in support of the original motion, but also partially in support of the Latham amendment with a further amendment, which I will outline. I move:

That the amendment of Mr Latham be amended as follows:

1. In paragraph 3 (b) omit "while also milking poorly directed government subsidies".
2. In paragraph 3 (c) omit "by re-entering the market as a significant electricity generator and supplier".

The reason for the change is that we share the analysis outlined by the Hon. Mark Latham about the failures of the Baird Government privatisation model. We share the concern about the manipulation of supply prices and sector competition. I do not share his analysis about government subsidies, which is why I have suggested that they be deleted from the motion. I urge that the Government correct the massive market failures. Perhaps I would not go quite as far as the Hon. Mark Latham, who spoke about the Government fully re-entering the market as a generator and supplier.

Instead, the approach that the Labor Opposition outlined at the last election was a massive, unprecedented investment in nine gigawatts of new dispatchable generation over a decade, partly through direct investment and partly through the creation of a new State-owned corporation whose chief function would be to get into that line of investment, chiefly around storage where the private sector is slow but also through a series of reverse options to ensure a new dispatchable supply of renewable energy to make sure that the dispatchability gap the Hon. Mark Latham so eloquently identified is in fact addressed between now and 2035. We go on part of the journey with him, but we have a certain point of departure.

The Hon. Mark Latham: We have a Green fork in the road.

The Hon. ADAM SEARLE: I acknowledge the interjection. Perhaps I would say a renewable fork in the road. We share the analysis that the market has failed. For example, the deregulation of the retail sector, in particular, has failed and the Government needs to ensure that the market rules properly enhance and support competition and drive prices down. We outlined how we would do that before the election. We called it re-regulating the market. The Australian Competition and Consumer Commission, which reached very similar conclusions, did not call it that. Nevertheless that is what it was getting at—making sure there was more transparency in prices, that products could be easily compared one with another, and that when electricity companies offered discounts they were real discounts off what people were paying, not off some notional and inflated market offer that they are required to file periodically. I urge honourable members to vote for my amendment to the amendment of the Hon. Mark Latham, and then we will support that amendment.

The Hon. MARK LATHAM (21:22:15): To accelerate the work of the House—

The DEPUTY PRESIDENT (The Hon. Shayne Mallard): Is the Hon. Mark Latham speaking to the amendment of the Hon. Adam Searle?

The Hon. MARK LATHAM: Yes, I am accepting it, having put my argument. But to accelerate the work of the House—and also acknowledging that my numbers have started to drop away—I am in a position where I have made my case but I concede the political and numerical realities.

The DEPUTY PRESIDENT (The Hon. Shayne Mallard): The House will still have to vote on the amendment. Members cannot just accept amendments, but I thank the Hon. Mark Latham for his generosity.

The Hon. SHAOQUETT MOSELMANE (21:22:56): In reply: I thank all the speakers who contributed to the debate and note that the Leader of the Government, who interjected, had the opportunity to speak but failed to do so. Let the record show that he had the opportunity to speak and defend his Government's failed privatisation policy but he did not. The reality is that the figures speak for themselves; I did not invent them. The reality is that price hikes of up to 60 per cent were charged to users to access the ports. That is a fact; I did not make it up. The other point is that, far from boosting competition, privatisation has resulted in higher prices for consumers.

The Australian Competition and Consumer Commission found that over 10 years retail electricity prices in New South Wales have increased by 52 per cent in real terms. They are the real numbers given by credible institutions or organisations telling us that the current privatisation policy of this Government, which is selling everything—whether you call it a lease or rehashing of assets; whatever you want to call it—is causing significant pain to our communities through price increases. For an individual like Rod Sims, who is a real advocate for privatisation, now to regret it and to criticise what is happening tells us about the state of affairs in New South Wales. I ask members to support the motion as amended by the Hon. Adam Searle.

The DEPUTY PRESIDENT (The Hon. Shayne Mallard): The Hon. Shaoquett Moselmane has moved a motion, to which the Hon. Mark Latham has moved an amendment, to which the Hon. Adam Searle has moved a further amendment. The question is that the amendment of the Hon. Adam Searle to the amendment of the Hon. Mark Latham be agreed to.

Amendment of the Hon. Adam Searle to the amendment of the Hon. Mark Latham agreed to.

The DEPUTY PRESIDENT (The Hon. Shayne Mallard): The question now is that the amendment of the Hon. Mark Latham as amended be agreed to.

Amendment of the Hon. Mark Latham as amended agreed to.

The DEPUTY PRESIDENT (The Hon. Shayne Mallard): The question now is that the motion as amended be agreed to.

The House divided.

Ayes 17
Noes 12
Majority..... 5

AYES

Boyd, Ms A
Donnelly, Mr G
Graham, Mr J
Mookhey, Mr D
Nile, Revd Mr
Searle, Mr A

Buttigieg, Mr M (teller)
Faehrmann, Ms C
Hurst, Ms E
Moriarty, Ms T
Pearson, Mr M
Veitch, Mr M

D'Adam, Mr A (teller)
Field, Mr J
Latham, Mr M
Moselmane, Mr S
Primrose, Mr P

NOES

Amato, Mr L
Farlow, Mr S
Khan, Mr T
Mitchell, Mrs

Cusack, Ms C
Faraway, Mr S.J. (teller)
Maclaren-Jones, Mrs (teller)
Tudehope, Mr D

Fang, Mr W
Harwin, Mr D
Martin, Mr T
Ward, Mrs N

PAIRS

Houssos, Mrs C
Jackson, Ms R
Secord, Mr W
Sharpe, Ms P

Franklin, Mr B
Mallard, Mr S
Mason-Cox, Mr M
Taylor, Mrs

Motion as amended agreed to.

Documents

BARWON-DARLING WATER SHARING PLAN

Production of Documents: Order

Mr JUSTIN FIELD: I move:

That private members' business item No. 364 outside the order of precedence be considered in a short form format.

Motion agreed to.

Mr JUSTIN FIELD (21:33:38): I move:

That, under Standing Order 52, there be laid upon the table of the House within 28 days of the date of the passing of this resolution the following documents in the possession, custody or control of the Minister for Water, Property and Housing, the Department of Planning, Industry and Environment, WaterNSW, the Natural Resources Commission or the Department of Premier and Cabinet:

- (a) all documents created since 1 July 2019 related to the modelling prepared by WaterNSW in relation to the Natural Resources Commission's July 2019 "Draft Water Sharing Plan Review for the Barwon-Darling Unregulated & Alluvial Water Sources 2012" as referred to by the Minister for Water, Property and Housing at the budget estimates hearing of Portfolio Committee No. 4 - Industry held on 6 September 2019;
- (b) all correspondence, excluding public submissions, from and to non-government stakeholders created since 1 July 2019 in relation to the Barwon-Darling Water Sharing Plan and the Natural Resources Commission's July 2019 "Draft Water Sharing Plan Review for the Barwon-Darling Unregulated & Alluvial Water Sources 2012"; and
- (c) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

Through the motion I am seeking documentation related to the report that the Natural Resources Commission [NRC] prepared of its review of the Barwon-Darling Water Sharing Plan. Many members will remember that when the NRC draft report came out, it and its contributors came under extraordinary attack from the New South Wales water Minister. She talked publicly about further modelling done by WaterNSW that refuted some aspects of the NRC draft report. It is well known that the final report changed some of the language of the draft report slightly but not the findings.

I am seeking the modelling that the water Minister relied on in making such significant claims, which stakeholders were lobbying the Government, and the correspondence between them and the Government around the responses to the draft report. Given the significant public debate around the review and the consequences of the failure of the management on the Barwon-Darling river system, the call for papers is quite reasonable. I commend the motion to the House.

The Hon. MICK VEITCH (21:35:48): For the sake of brevity, and realising that it has been a long sitting week and members are pretty keen to move on to other matters—that is, not here—I shall be brief. The Labor Opposition supports the call for papers by Mr Justin Field for all the reasons that he eloquently and articulately put to the House.

The Hon. MARK BANASIAK (21:36:13): The Shooters, Fishers and Farmers Party will support the call for papers. During budget estimates some serious concerns were raised about the Barwon-Darling Water Sharing Plan. At the first hearing I asked the Minister about the cap accreditation model. She could not answer my question. She took it on notice as to whether we had lost control of our water over the past five years. That was a strange approach but it was her approach to take. I then asked her quite plainly whether the Barwon-Darling Water Sharing Plan was illegal, as it does not have the cap accreditation model, and the Minister said it was up to the interpretation of the Act. It is clear from the Commonwealth water Act that this cap accreditation model must be in place but the water sharing plan has not had it since 2015. The more light that is shone on the water sharing plan, the better.

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (21:37:14): The Government opposes the motion, which is unnecessary. The modelling that Mr Justin Field seeks has already been published by WaterNSW last month and is publicly available. If instead the member wants data on observed flows, there is a document on the Murray-Darling Basin Authority's website entitled *Observed Flows in the Barwon-Darling 1990-2017: A Hydrologic Investigation*. The publicly available document has a detailed rundown of all the information the member might be looking for. If that is insufficient, the member could check out realtimedata.waternsw.com.au, which gives users the access data from over 1,200 monitoring stations that measure the quality and quantity of water in the rivers, streams, groundwater bores and dams across New South Wales. The Government opposes the motion as the requested information is already available.

Mr JUSTIN FIELD (21:38:15): In reply: For the benefit of members of the House, I am not seeking publicly available information—some elements of the Government reply suggest that potentially there has been a miscommunication. I know a summary has been made public—that undertaking was given to me in budget estimates—but I am seeking the actual modelling. The summary has a few graphs with no figures associated with it. As stated in paragraph (b) of the motion, I am not seeking public submissions to the process. I am seeking the correspondence that led to the quite extraordinary attack by the water Minister on the Natural Resources Commission and the scientists involved in the development of the report, especially given that at the end of the day the report had the same recommendations and it had largely been accepted by the Government. I do not think the call for papers is unreasonable. Again, I commend the motion to the House.

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

Motion agreed to.*Bills***PILL TESTING BILL 2019****First Reading****Bill introduced, and read a first time and ordered to be printed on motion by Ms Cate Faehrmann.****Second Reading Speech****Ms CATE FAEHRMANN (21:40:50):** I move:

That this bill be now read a second time.

I am pleased to introduce The Greens Pill Testing Bill 2019 tonight because the evidence is in: Harm-reduction measures, such as pill testing, save lives. Almost two weeks ago, after an extremely thorough and extensive inquest into the tragic deaths of Nathan Tran, Diana Nguyen, Joseph Pham, Callum Brosnan, Joshua Tam and Alex Ross-King at music festivals between December 2017 and January 2019, the New South Wales Deputy Coroner, Harriet Graham, handed down her findings. She said that the New South Wales Government needs to look with "fresh eyes" at the danger of drugs and change its perspective from "reducing drug use to reducing drug death". According to the Deputy Coroner, it is time to rethink drugs. Like most other governments around the world, our Government has been waging an expensive, all-consuming war against drugs. Yet despite huge numbers of police and sniffer dogs harassing mainly young people on the streets, in clubs and at music festivals, huge numbers of people continue to take drugs.

In fact, at least half of Australian adults have done just that. One-third of us have used cannabis, one in 10 have used ecstasy and our use of amphetamines is second highest in the world. Last year New South Wales residents consumed 2,604 kilograms of methamphetamines and 2,397 kilograms of cocaine. It seems that zero tolerance is having zero success. Still, we continue to pump hundreds of millions of dollars into trying to stop people taking certain types of drugs, declaring people criminals for smoking a joint or wanting to take a pill or two and dance all night with their friends. Telling people not to take a drug has never worked, and it is not working now. It will never work. The Deputy Coroner said:

The evidence in this inquest also demonstrated that the production of a single message "Just Say No" is dangerous in itself. While it may be a starting point for young children, it has little or no effect on those who seriously contemplate drug use or who have already had a drug event that they have experienced as positive. This is especially the case in relation to young people, such as those whose deaths are the subject of this inquest. What is needed is more nuanced messaging that provides accurate information about risk. We need to talk more openly about how to provide correct and credible information about drugs to young people.

Instead, in New South Wales our Premier, Gladys Berejiklian, and her health Minister, Brad Hazzard, have continued to wheel out this failed "Just Say No" message after the tragic music festival deaths. Let us put on record forevermore the memorable exchange between the Premier and *Sunrise* co-host David Koch, or "Kochie". After some of the tragic deaths earlier this year, Gladys Berejiklian said:

The best message we can send to them is these substances ... can kill you. Do not take these drugs.

Kochie replied:

But they are just kids ... Did you try drugs when you were younger? ... Marijuana?

Gladys responded:

... hand on heart, I'm probably one of the few that haven't [tried anything].

That is why the Premier's message, "Just Say No", is so unbelievable. The uncomfortable truth is that governments do not want to admit that the majority of people who use illegal drugs do so to relax, unwind and have fun with their friends. The vast majority of people who take illegal drugs will not become addicted. In fact, it is legal drugs, such as alcohol and tobacco, that cause the most harm. Over a lifetime, eight million Australians—which is essentially 45 per cent of all adults in this country—have taken illegal drugs.

The Hon. Wes Fang: Not me.

Ms CATE FAEHRMANN: But not the Hon. Wes Fang—we will put that on record. In Australia we spend around \$1.6 billion each year on drug policies. Some 60 per cent of that goes to law enforcement, only 20 per cent to treatment and much less to harm reduction. Yet here in Australia someone dies from a drug overdose every 5.4 hours. Every year between 200,000 and 500,000 Australians do not get the treatment services they need. How do we think this is okay when we are spending 60 per cent of \$1.6 billion on drug law enforcement? Some other countries woke up to this years ago. Recently I visited Portugal, where I met with police, health workers and other experts to hear about their drug laws. Police in Lisbon talked to me about the huge drug addiction epidemic

they had in 1999—one in 100 people in Portugal were addicted to heroin. The streets were like war zones. I saw photos of neighbourhood streets where people were shooting up and had overdosed. These were suburban neighbourhoods and they looked like war zones. Every single person in Portugal was affected by drugs

What did the authorities do? They got legal experts, social workers, families of people who had died of drug overdoses, families of people who were addicted to drugs, and they all came together. They started a national conversation and travelled the country. They televised debates about what they should do and after two years, the politicians, legal experts and families—everybody—came together and came up with recommendations that were put to Parliament. Every single recommendation was voted for unanimously. Those recommendations were about decriminalising all drug use because they recognised that instead of a war on drug use they had to focus on stopping people dying from drugs. That was the evidence and the take-home message from Portugal. What has happened in Portugal since then? There are fewer overdoses, far less crime and, in fact, drug use in Portugal has stabilised or reduced compared with the rest of Europe. That is significant and it is what I learnt a few months ago when I travelled to Portugal.

One of the things that Portugal and a lot of other countries do is pill testing. This is what this bill before us does. We need drug checking and health information services at music festivals and in the community. Let us remember that the Deputy Coroner had, over 16 days, reviewed extensive evidence and volumes of information in relation to preventing deaths at music festivals. This is one of her findings:

One of the strategies that has been used throughout the world to reduce potential harm at music festivals, and more widely, is the use of drug checking or pill testing. Drug checking would seem to fall squarely within the government's harm reduction policy framework and requires close consideration.

I remind members that these are the words of Deputy Coroner Harriet Grahame, who was tasked with investigating deaths at music festivals and making recommendations to prevent them. She continues:

The court heard extensive evidence about this practice which operates in numerous countries worldwide. It is clear from the academic literature on this subject and the number of media reports available that the Australian public has a genuine interest in understanding this issue. It is not possible to report in any detail on the numerous studies and research papers the court was directed to. However, I have reviewed them carefully, considering both positive and negative opinions.

The Deputy Coroner made many recommendations to the New South Wales Government, the Premier and Cabinet, the police, music festival organisers and other organisations. Her first five recommendations were:

1. That the Department of Premier and Cabinet permits and facilitates Pill Testing Australia, The Loop Australia, or another similarly qualified organisation to run front of house medically supervised pill testing/drug checking at music festivals in NSW with a pilot date starting the summer of 2019–20.
2. That the Department of Premier and Cabinet, working with NSW Health and NSW Police, fund the establishment of a permanent drug checking facility, similar to the Dutch model known as the Drug Information Monitoring System (DIMS).
3. That the Department of Premier and Cabinet, working with NSW Health, research and support the development of technology to allow for the most sophisticated and detailed drug analysis to be made available on site at music festivals.
4. That the Department of Premier and Cabinet, working with NSW Health, research and support the development of early warning systems at music festivals generally and arising from front of house and/or back of house drug checking.
5. That the Department of Premier and Cabinet, working with the NSW State Coroner, NSW Police, FASS and NSW Health, develop protocols for the open sharing of information between these agencies regarding drug trends and monitoring of drug deaths.

There are many more recommendations but I deliberately stress these five. These are the first five recommendations from the Deputy Coroner who investigated the deaths of young people at music festivals from drugs and who was tasked with making recommendations to prevent similar deaths in the future. And what has the New South Wales Premier done in relation to these recommendations? She has refused to address the Deputy Coroner's findings. The bill that I have introduced in this House does what the Deputy Coroner has recommended. Remember that the Deputy Coroner was investigating the deaths of six young people at music festivals.

This is a bill to do just what the Deputy Coroner has recommended—not all of her recommendations, but just those five that I read aloud. The bill provides for pill testing services to receive a substance, to analyse it and to determine its composition and whether it contains a prohibited drug, poison, restricted substance, drug of addiction or any other substance that would cause harm if ingested. As the use of MDMA is in no way limited to music festivals or nightclubs, the bill allows for pill testing to be licensed at fixed premises or mobile facilities. Many users of drugs do so in private homes with friends. They can face similar risks from drugs to those that patrons of dance parties face.

The bill also allows for a pill testing service to receive a substance in pill or any other form, retain an amount of the substance for analysis, analyse the substance to determine its composition and provide advice and counselling to the person who is using the service. It is important to go through that advice because I have had a

lot of questions on this and I have heard some of the opponents of pill testing say that this is all about encouraging drug use. When someone comes in to use these services, let us remember that they have essentially run the gauntlet of police and are determined to use drugs at these festivals. Again, let us remember that "just say no" does not work. Depending on the survey, 70 per cent, 80 per cent or 90 per cent of people at these festivals will use these drugs.

The Hon. Wes Fang: They shouldn't.

Ms CATE FAEHRMANN: I acknowledge the interjection of the Hon. Wes Fang. It is all very well to say they should not use, but we have had over 50 years of "just say no". The NSW Crime Commission has reported that while seizures and arrests for illegal drugs have increased, the use of illegal drugs has increased as well. While the cops are arresting more people and seizing more drugs, the use of drugs continues. Consider that of the \$1.6 billion spent nationally on drug policy, 60 per cent is for law enforcement and 20 per cent is for treatment. If drug seizures are increasing and drug use is increasing, I do not know whether that is so effective. People are continuing to use drugs, so let us make them as safe as possible. That is what this bill does.

I have spoken with the people behind Pill Testing Australia, good people like Dr David Caldicott and Gino Vumbaca. I have also spoken with The Loop's Fiona Measham from the United Kingdom. They are all experienced pill testing service providers. What they do is incredibly professional and impressive. When someone comes to use these services, they are always told first up that the safest option is to not take that drug. That is the safest option because all drugs have risks. There are always risks to taking drugs. Yet, many people choose to do it regardless of the "just say no" message. People using the service are asked questions about the state of their mental health and whether they are on medications because some prescription drugs, such as anti-anxiety medications, can make MDMA more dangerous.

Pill testing services have reported, and I have heard personally from people, that some people choose not to take their drugs after going into a festival tent, getting the drugs tested and getting advice from professionals there that, for example, the anti-anxiety medication that they are on may interact with or contradict MDMA. Those medications can make MDMA more dangerous and can potentially be fatal. One of the most important things about people who come into pill testing tents to get their drugs checked is that about 30 per cent, we have heard, discard their drugs after they speak to people and get their drugs checked. Other people will choose to take less but, also importantly, most people who use these services will walk away and then meet up with a group of friends who are likely going to take the same drugs. People tell their friends the information that they have just been told and in this way the harm reduction service reaches out to more people than just those who have used the service directly.

This bill also allows mobile pill testing services to transfer substances to fixed sites for testing. That is important because fixed sites such as community sites may have more facilities and more technology to be able to test the purity, strength and adulteration of certain substances. They will be able to test more of the new substances that are coming onto the market. The bill outlines the application process for a pill testing licence, which must be made in writing to the Secretary of Health, including outlining why the applicant is a fit and proper person to hold a pill testing licence, the premises or mobile pill testing facility they intend to use and be accompanied by the internal management protocols.

Requirements of an internal management protocol include a director with a role of general oversight of the operations of the pill testing place, the provision of appropriate drug and alcohol counselling services, procedures to prevent the service being accessed by minors, the disposal of contents in amnesty bins, provisions covering the health and safety concerns of employees and so on. These requirements place strict controls on how a pill testing service can operate and allow the Department of Health to set new conditions and internal management protocols. There are a range of different clauses in relation to publishing a notice in the gazette and on the website in relation to a licence being issued. Clause 19 sets out the disciplinary action that will result if a condition or internal management protocol is contravened by a pill testing licensee. The secretary can revoke a pill testing licence if a licensee or director is no longer deemed fit. All of the usual provisions in relation to legislation of this kind are in place.

The bill also ensures that information about the drugs that are tested are published online if the secretary believes it is in the public interest to do so. Providing information such as this will reduce harm and potentially save lives by alerting the public to the presence of potential deadly substances such as PMA or N-Ethylpentylone or extremely high purity MDMA. The high purity MDMA is important to talk about. The Deputy Coroner's report found that evidence globally shows that MDMA is getting stronger and of higher purity. Ecstasy tablets in the 1990s and 2000s were 50 to 80 milligrams. The current average now is 125 milligrams. However, the Deputy Coroner said they were also seeing a recent emergence of super pills, between 270 and 340 milligrams. Unfortunately, the data on changes in purity and dose is lacking in Australia,

however some sample sizes from police seizures indicate that this is the case here in Australia as well, particularly over the last couple of summers.

That is why it is so important that the MDMA that tens of thousands—if not potentially hundreds of thousands—of people will take this summer is tested. Because yes, MDMA can kill. Just like alcohol can kill. Just like prescription drugs can kill. These legal drugs can kill if they are taken in large quantities. That is why they are regulated, so people know what they are taking. Just like sculling a bottle of vodka can lead to a person's stomach being pumped or worse, a person dropping two or three MDMA pills with a purity of 330 milligrams at once or too close together can lead to serious impairment, organ failure, cardiac arrest or death. This is why we need pill testing. Again from the Deputy Coroner's report stated:

One of the oft repeated criticisms of drug checking at music festivals is that purity cannot be tested for. Clearly this is incorrect. There are methods for testing for purity. Usually this is done in a fixed laboratory setting using a form of spectrometry. However, the court heard that there has been testing for purity in a music festival setting in parts of Europe for many years.

Let us say the Premier had listened to the evidence of drug harm reduction experts and trialled pill testing months ago. Some festival goers would have had their pills tested. Some may have been told that the pills they had were in fact incredibly strong. Some may have not taken the pills they had taken and some may have listened to peer-based counsellors and only, say, taken half, drank water, avoided alcohol and stayed cool. Some may have told their friends to do that as well. Who knows what may have happened.

We know that pill testing works. We simply have to just look at pill testing trials at the Groovin the Moo festival in Canberra, which has been wildly successful. At the second trial in April this year 17 samples were tested for 234 participants. There were long queues to use the pill testing service, with people waiting patiently for up to 20 minutes for the test, which takes about 10 minutes. About 35 volunteer doctors, chemists and counsellors worked on shifts during the trial at Groovin the Moo to educate young people about drug use and negative effects. Seven lives may have been saved when patrons discarded their drugs after testing alerted them that their pills contained dangerous N-Ethylpentylone. MDMA was the most common substance identified, followed by cocaine, ketamine and methamphetamines. There were no deaths at the Australian Capital Territory Groovin the Moo festival. Only two people were taken to the hospital for intoxication, compared to 14 people at a similar New South Wales festival in Maitland.

Drug checking services have been operating for up to 20 years around the world including in Austria, Canada, France, Luxembourg, the Netherlands, Portugal, Spain, Switzerland, the United Kingdom and the United States of America. In 2018 the United Kingdom The Loop delivered pill testing services at 12 different music festivals. At Boomtown Fair festival 20 per cent of people who had their drugs tested decided not to take them and 50 per cent said they would alter their behaviour because of the results. The festival recorded a 25 per cent reduction in drug-related medical incidents.

In 2015 in the Netherlands a red pill bearing the Superman logo sold as ecstasy prompted a red alert after the pills were found to contain a high dose of the deadly substance PMMA. PMMA gives the illusion of a low-dose MDMA trip, but the pills could be fatal, leading to overheating, as well as heart, liver and kidney failure. Thanks to the Netherlands Drug Information and Monitoring System, thanks to a pill testing facility in that country, a public alert was televised that this pill could kill. This pill pretty much vanished from the Dutch market as a result and no lives were lost. However, despite British authorities being aware of these pills, no such alert was made in the United Kingdom. Five days after the Dutch health alert, four people died in Britain from overdoses associated with the pill.

This is the reality. This is not some moral crusade. These are the facts. With pill testing trials underway in the Australian Capital Territory and momentum building in Victoria, potentially hazardous drugs that are flushed out of those markets may end up in New South Wales this summer. Are we seriously okay with this? This bill puts in place some of the recommendations of the Deputy Coroner who investigated the deaths of Nathan Tran, Diana Nguyen, Joseph Pham, Callum Brosnan, Joshua Tam and Alex Ross-King at New South Wales music festivals in December 2017, 2018 and January 2019. The bill does nothing that goes against those findings. The Deputy Coroner's recommendations are not political. They are based solely on saving lives. In the words of former Australian Federal Police Commissioner Mick Palmer please "Instead of 'Just Say No' how about we say 'Just Say No more kids dying on our watch'?"

Debate adjourned.

Adjournment Debate

ADJOURNMENT

The Hon. SARAH MITCHELL: I move:

That this House do now adjourn.

ANSWERS TO QUESTIONS

The Hon. PETER PRIMROSE (22:09:05): I speak tonight because the Government is not following the standing orders as determined by this House. Given the performance of the Government, I cannot decide if this is a consequence of ignorance or malice, but the consequences are the same. For instance, I refer to the call for papers under Standing Order 52 relating to asbestos in Transport for NSW workplaces that the House formally adopted this morning. It came about because all other avenues for the workers exposed to this poison to get information about asbestos in their workplace had been exhausted and met with total disregard by the Government. Specifically, if the Government had instead provided a directly relevant answer to written question on notice No. 504 it is possible that there would not have been any need for the call for papers. Once again, I find myself in a strange position of reminding Ministers that there are rules for questions. As amended by the sessional orders, Standing Order 65 (5) states very clearly:

An answer must be directly relevant to a question.

This nine-word sentence seems very straight forward, clear and comprehensible, but obviously not so to some of those opposite. In the take-note debate on 6 August this year I raised the need for answers from Ministers to be directly relevant to a different set of written questions on notice. The Hon. Don Harwin in his capacity as Leader of the Government in the Legislative Council responded by saying:

Similarly, the Hon. Peter Primrose raised some questions about questions on notice and I will have a look at that as well.

There was no response in the subsequent sitting days. So I followed this issue up by writing a letter to the Hon. Don Harwin—sent via fax as well as post—specifically asking him as the Leader of the Government in the Legislative Council for his "advice on what the Government proposes to do to ensure that in future it will meet the requirements of the sessional orders". I received neither an acknowledgement nor a response to this letter. After the estimates hearings had finished I read through the answers provided to questions taken on notice during the hearings and supplementary questions. Because some of the answers were lacking in substance, I submitted some of them as written questions on notice, to which directly relevant answers were required. I do understand that it is procedurally correct that answers to written questions as part of the estimates hearings are required to be only generally relevant. However, given the gravity and magnitude of this issue—particularly asbestos in the workplace—directly relevant answers are very much required.

As a result of this, I wrote to the Leader of the Government in the Legislative Council again in October—yet again by fax and post—to alert him that I would be submitting a number of questions from the estimates process as written questions on notice and that answers to these questions would need to be directly relevant as per Standing Order 65. In my letter, I asked the Hon. Don Harwin to "take whatever steps you consider appropriate to remind Ministers that answers to written questions in the Legislative Council are required by the sessional orders to be 'directly relevant'" and, most importantly, to see that the standing orders of the House were followed by his fellow Cabinet members.

My written question on notice that I referred to earlier, No. 504 relating to asbestos, is one of those questions asked during estimates and submitted as a written question on notice. The banal and not directly relevant response is referred to in the notice for the call for papers agreed to by the House earlier today. Again, I received no acknowledgement or response to the October letter. It is unfathomable that a senior Minister could believe that directly relevant answers provided to my written questions in the House could merely be to see the answer provided in the estimates committee when the estimates answers were so lacking in any detail or content. Again, I request that as Leader of the Government the Hon. Don Harwin make a statement in this place confirming that Ministers will provide answers to written questions that accord with the standing orders and are directly relevant to the questions asked.

GREAT WESTERN HIGHWAY

The Hon. SHAYNE MALLARD (22:14:00): I refer to a significant announcement by the Berejiklian Government for the Blue Mountains and Central West communities—namely, the \$2.5 billion upgrade to the Great Western Highway between Katoomba and Lithgow. This is a long-awaited final section to be upgraded and the last leg of a major artery into our city. This upgrade will ensure a safer, faster route over the Blue Mountains. It will also reduce travel times and congestion along the 34 kilometre route. In the past few months I have had a number of meetings and site visits with community groups along the Great Western Highway, including at Medlow Bath and Blackheath. These groups raised with me a number of safety issues along the highway.

This announcement of a duplication will not only work towards ensuring a faster route but, more importantly, a safer route for those who frequently travel on this road, as well as tourists and visitors to the area. The Great Western Highway is the last main corridor out of Sydney to be upgraded and once complete will see dual carriageway in both directions for almost 100 kilometres. A proposed corridor between Mount Victoria and

Forty Bends was reserved in 2013, and was part of both Blue Mountains City Council and Lithgow City Council's local environment plans.

The Coalition Government has a strong record of delivering investments for the Great Western Highway. Since 2012 the Australian and New South Wales governments have invested \$250 million in priority safety upgrades along the Great Western Highway at Blackheath, Mount Victoria and Forty Bends. In 2017, \$104 million of works was completed on the Great Western Highway at Kelso. In 2018 the New South Wales Government announced a further \$30 million to upgrade the Great Western Highway from Kelso to Raglan.

The Hon. Sam Faraway: Hear, hear!

The Hon. SHAYNE MALLARD: I acknowledge that interjection. The member knows the road. In 2019 we are delivering on our election commitment of the duplication. We took this to the State election earlier this year and I am pleased to be a part of the Government that is delivering on this commitment. Last week the Minister for Regional Roads and Transport, Mr Paul Toole, announced the proposed Great Western Highway upgrade design and route plans between Katoomba and Lithgow. The project is in the early stages of planning and design. Construction is expected to commence in 2021 and it is to be completed in 2028. This announcement is the next step in delivering this final stage of the upgrade to the Great Western Highway.

Minister Toole has emphasised the importance of feedback from the community on the design and route plans. I encourage residents and the communities of the Blue Mountains to provide their feedback on the proposed plans. Community consultation will take place from Thursday 7 November and will close at 5.00 p.m. on Monday 16 December. It will include nine community information sessions at Katoomba, Medlow Bath, Blackheath, Hartley Valley, Mount Victoria and Lithgow. Further information can be found on both the Roads and Maritime Services website and my website.

The Government has always been honest that this will be a complex project. Indeed, that is why it is involving the community in the design from day one. There will be challenges—working around steep topography, the rail line, minimising impacts on the environment and preserving the heritage and character of these communities. We want community feedback. The project will not impact on the Greater Blue Mountains World Heritage Area, and impacts on the Blue Mountains National Park will be avoided or minimised where possible. The benefits for Blue Mountains' residents and businesses will be an important outcome of the upgrade.

As upper mountains locals know, you have to avoid the highway over weekends and holiday periods when it becomes a huge car park. The upgrade will address these dreaded bottlenecks for the benefit of residents and visitors alike. As someone who regularly drives on the Great Western Highway I understand these issues firsthand, as does Minister Toole, who also drives on it each week. This will be another game-changer project for safety and congestion, especially for the communities of Medlow Bath, Blackheath and Mount Victoria. This duplication is also crucial for better connections to the Central West and improving productivity.

Labor figures in the Blue Mountains have been scaremongering about this project so I would like to clarify a few key facts. The Strategic Corridor Study Area through Blackheath has been identified as a section with considerable environmental, local heritage and engineering challenges. Options are still to be decided for Blackheath and require further community consultation, environmental assessments and technical studies. The major sticking point is Blackheath; no decision has been made by the Government at this point. The four options being considered at the moment are: duplicating the highway through the central town, requiring acquisition of homes and businesses; an outer bypass with bridges over Shipley Road, Centennial Pass and Porters Pass; a bypass next to the railway line with impacts on residential and commercial properties; or a tunnel under the railway and the Christian college with ventilation stacks.

I call on the Labor Party in the Blue Mountains not to scaremonger about those options. Once the Katoomba to Lithgow upgrade is complete, almost 100 kilometres of the Great Western Highway will be two lanes in each direction between Emu Plains and Wallerawang, with huge benefits for road safety, travel times and the Blue Mountains and Central West regional economies. I urge residents, businesses and community members to make a submission before the close of consultation. I repeat, the details are available on both the Roads and Maritime website and my website.

FORESTRY MANAGEMENT

The Hon. MARK BANASIAK (22:18:48): To quote John Barilaro, "While we lock up national parks and allow that fuel load to grow, why are we then surprised that when these fires hit, they are at the intensity they are at?" Mr Barilaro also took a swipe at The Greens for not allowing hazard reduction burns. I am not in the habit of defending The Greens but that, John, is a lie. Even The Greens have a policy on back-burning; it is only The Nationals and their puppet masters that do not. Now we see in the papers today that John Barilaro and

Matt Kean are at loggerheads over fire management policy. Of course they are; our environment Minister has lived his life in the city. Environmental management, for him, would be sweeping the leaves off concrete.

The Shooters, Fishers and Farmers Party has made multiple attempts to highlight the issues of back-burning and land clearing and the role forestry can play in them for a long, long time. The Shooters, Fishers and Farmers Party recognises the role that forestry can play in forestry management. Twice now, the party has attempted to introduce the National Parks and Wildlife Amendment (Tree Thinning Operations) Bill. This bill would have enhanced tree thinning operations in the Murray and the Pilliga and made use of the resource by enabling the removal and sale of the timber.

The mentality of "lock it and leave it" has never been a management tool in Australia. It is arrogant in the extreme and ignores thousands of years of traditional land management. There is a very important piece of literature that I urge all members to read in such dire times: *Firestick Ecology* by Vic Jurskis. Vic makes a point about Dr David Keith, who was commissioned by NSW National Parks and Wildlife Service to conduct research on native vegetation. In the book he described many chronically declining, shrub-infested eucalypt communities as though they were all natural ecosystems, rather than artefacts of post-European mismanagement. That was in August—in winter, when back-burning should be conducted.

Our national parks have become shrub-infested post-European artefacts created by modern neglect. We can rectify that neglect; we just need to face up to the facts. Proper management of our national parks can have multiple benefits for surrounding communities. The NSW National Parks and Wildlife Service is grossly under-resourced. There are 870 national parks and reserves, covering over seven million hectares. That is a lot of unmanaged land. If this State is going to shut down our forestry industry bit by bit, maybe it can re-employ those workers in national parks. They would be more qualified and would have a better understanding of conservation measures.

The Pilliga National Park, for example—much to the dismay of former Labor Premier Bob Carr—was actually established by the timber industry. The industry then began losing access to the forest it had created and by 1986 was reduced to 53,000 cubic metres. The annual forest growth rate was 70,000 cubic metres. The reason the Pilliga was turned into a national park was, apparently, the need to preserve this historic forest—a historic forest that was man-made by foresters. The land was managed under foresters. It was cleared and it never went up in flames under forestry management. When increasingly large tracts of it were locked up and left to supposedly "conserve", the Pilliga went up and burnt to the ground. Its growth rate meant it had fuel to burn. The Murray River red gums are another great example of a man-made historic national park that should be managed. Red gums grow under flooding regimes. Their seedlings are carried along by the flood and they then take root. In earlier times, they could not survive the firestick. In 1842 the firestick stopped and the floods kept coming.

Mismanagement equals a national park. At every opportunity, The Nationals play politics. They did not support our bill, but not long after the then member for Murray attempted to introduce a similar bill. For The Nationals to say that other parties are using the issue as a political opportunity is hypocritical. It should not take the destruction of 85,000 hectares and counting for this Government to acknowledge that our national parks are a major threat to our safety, not to mention biodiversity. Years and years later, we have the Deputy Premier pointing the finger and singing his "shoulda, coulda, woulda" because exactly the same thing is happening now.

When we tried to introduce 50-metre buffer zones around properties, we were not supported by The Nationals or the Government. We even had to fight tooth and nail for them to agree to support a reduction to 10 metres. We need those zones also along our roads. On a recent trip to the town of Tathra, where a fire destroyed 100 structures and decimated 1,250 hectares of the town, I noticed that absolutely nothing had been done to prevent it happening again. As I drove on one of the two roads in and out of Tathra, I noticed it was all national park. It was all brown and dry and the crowns of the trees were, at times, directly over the top of the road. What is it going to take? The razing of many more properties and many more deaths.

BUSHFIRES

The Hon. TAYLOR MARTIN (22:23:18): I take this opportunity to express my gratitude to all those who have responded and continue to respond to the bushfire emergency that this State has been facing over the past week. Seeing such a calm, coordinated and practised response was extremely impressive. Everyone knew their role and turned up where and when they were needed. What makes the response of this past week even more impressive is the fact that such a large contingent of those responding are, of course, volunteers. Today more than 1,500 firefighters and more than 500 trucks are on the ground, as well as 70 aircraft that are available to fight fires. In addition, there are 10 evacuation centres across the State at the moment. It is clear that the precautions taken on Tuesday due to the catastrophic fire threat resulted in property and lives being saved.

On Tuesday a fire at North Rothbury in the Hunter Valley threatened people and property as it rapidly took hold. *The Newcastle Herald* reported that flames from this fire were more than 100-foot high. Residents described that the firefighters were there very quickly hosing down roofs and putting out spot fires. Another bushfire at Greta is now under control. On Tuesday it damaged property and caused concern about the possible loss of homes as it quickly spread and burned 34 hectares of bushland with the fire front just metres from homes. The quick response from firefighters, including the 737 large air tanker *Marie Bashir* and crews from Victoria, ensured that no homes were lost.

This is the clear trend that emerged from Tuesday: Whether it was in the Hunter, Blue Mountains, Sydney, the mid North Coast or beyond, any fire threat was met with a swift response from emergency services on the ground and in the air. During Tuesday's catastrophic fire conditions there were 3,000 firefighters on the front line fighting fires or ready to be deployed at a moment's notice. More than 1,400 interstate firefighters and associated personnel have been deployed in recent days. We had firefighters from Tasmania, Victoria, New Zealand and Canada, as well as personnel from the State Emergency Service, NSW Police Force and the Australian Defence Force come together to protect communities in New South Wales. While these heroes were out putting themselves in danger some were egging on the keyboard warriors and the media to perpetuate outright lies that the NSW Rural Fire Service budget had been "cut" by the Government.

Let me explain why this is just nonsense. In 2018-19 the Government made a number of significant one-off generational investments, including \$17.5 million for the completion of a brand-new NSW Rural Fire Service headquarters, \$26.3 million for the purchase of a 737 large air tanker and lead planes, and \$5 million to upgrade the information technology [IT] systems to better coordinate bushfire responses; new headquarters, a new firefighting jet and new IT system: You do not buy these things often, not even once every decade. These became operational just last financial year and have been vital over the past week, especially on Tuesday. Capital costs will normalise following an investment of that magnitude.

Others shared a screenshot of one page from the 2019-20 announced budget papers without context or explanation to justify their claims of cuts to operational expenditure. The Government operates a disaster relief account held in the Office of Emergency Management within the Department of Community and Justice which reimburses the costs of declared natural disasters as costs are incurred. This practice has been in place for many years. It is wrong to compare the 2018-19 revised budget with the announced 2019-20 budget. The announced 2019-20 amount does not account for disaster costs which will be revised and added in if need be at the end of the financial year.

We have in fact allocated \$524 million this financial year, which is a 12.9 per cent increase in one year when comparing apples with apples. It was very disappointing to see that as New South Wales needed to prepare and make it through a day where much of the State had a catastrophic fire risk, some had the instinct to try to score points with misinformation—dare I say, even in this place during question time. Either by malice—knowing they were wrong, but spreading mistruths nonetheless—or worse, several MPs were spreading mistruths by negligence. It is disappointing. I thank all those out there doing the real work on the front line.

PREGNANCY SUPPORT AWARDS

The Hon. GREG DONNELLY (22:28:21): The Pregnancy Support Awards were established in 2016 to create an opportunity on an annual basis to recognise, acknowledge and thank those individuals and organisations who are providing support and care for women and families facing an unplanned pregnancy. Across New South Wales and Australia a number of individuals and non-government organisations are working tirelessly to offer emotional support and material assistance to women and families in need arising from an unplanned pregnancy. Some individuals have been involved in doing this voluntary work for decades.

Most of the not-for-profit organisations manage to survive from small donations and money raised through raffles and other fundraising activities. The mainly women doing this important work in our communities believe that no woman should feel that the only option she has when confronted with an unplanned pregnancy is a termination. Women should not be made to feel that they have to proceed with a termination because they have no other choices. Creating and supporting the circumstances that make those choices available and accessible should be a goal we can all agree upon.

The awards are an opportunity to reflect on the outstanding work that is being done across New South Wales and Australia to create the support and care that is so greatly needed but is often ignored. Hopefully, as more people come to recognise the immense need and value of this work, it will start to attract the attention and encouragement it certainly deserves.

Last night the 2019 Pregnancy Support Awards were held again at Parliament House. Almost 70 people attended, a number of whom travelled from regional New South Wales. In particular, Ms Kate Tuohey travelled

from Geelong, Victoria, for the awards dinner. Kate works for the NGO Emotional Support for Pregnancy Outcome Decisions. She has been involved in pregnancy support work in the Geelong area for a number of years. It was great to meet her in person and I wish Kate well in the groundbreaking research she is undertaking as part of a Masters degree. No doubt her research and findings will prove to be of great assistance to those involved in providing pregnancy support services across Australia.

A number of MPs and MLCs attended last night, including the Hon. Damien Tudehope, MLC; Dr. Hugh McDermott, member for Prospect; the Hon. Matthew Mason-Cox, MLC; the Hon. Lou Amato, MLC; and a former member of the Legislative Council, Mr Paul Green. Others who sent their apologies included the Hon. Anthony Roberts, member for Lane Cove; Dr Joe McGirr, member for Wagga Wagga; and Mr Edmond Atalla, member for Mount Druitt.

The award winners were: for Leadership in Pregnancy Support—Real Choices Australia; for Outstanding Pregnancy Support Counsellor—Susan Zavesky; for Best Pregnancy Support in Regional, Rural and Remote NSW—Newcastle Pregnancy Help Service Inc; for Outstanding Interstate Pregnancy Support Service—Pregnancy Problem House, Western Australia; and for Outstanding Young Volunteer—Leah Salter.

Over the time that those individuals and their organisations have been operating, thousands of women have sought support, encouragement and care; all done for free, in confidence and without judgement. What struck me in speaking to the award winners and to others doing this work was that the simple act of having a coffee with many of the women in need and letting them talk was enough to help them gain perspective on their circumstances. Proceeding with the pregnancy, as many wished to do, was not going to be without challenges but there were people and organisations available to listen, support and, if required, provide hands-on assistance. It meant the world to those women that people were ready, willing and able to offer understanding, counsel and support, in their time of need.

Over the past four annual Pregnancy Support Awards it has been great to see individuals and organisations getting to know each other and establish working relationships and networks that have helped them expand the services they deliver. It is particularly pleasing to see this cooperation has expanded to cover every State and Territory in the Commonwealth. I look forward to that consolidating and expanding in the coming years.

MANUFACTURING JOBS

The Hon. MARK BUTTIGIEG (22:33:15): The Berejiklian Government must stop offshoring New South Wales manufacturing jobs and start prioritising local manufacturers. The announcement by the Liberals and The Nationals of the decision to buy 13 new Sydney ferries from China and Indonesia goes directly against the Government's election promise to make New South Wales the manufacturing capital of Australia. The decision to manufacture the ferries overseas lacks merit and denies the people of New South Wales the opportunity to stimulate the local economy and generate income. There is simply no logical reason for those manufacturing jobs to go overseas. The announcement puts our State well behind Victoria, Queensland, Western Australia and South Australia, all of which manufacture trains and buses locally. New South Wales is now the only State that primarily outsources the manufacture of our public transport operations to overseas competitors. Prior to those job losses there had already been the loss of over 67,000 manufacturing jobs in eight years. The Government should be using its purchasing power to stimulate manufacturing jobs in this State. However, the Government has vacated the field.

The Liberal-Nationals Government has allowed privatisation to take over and it is now failing to stimulate the economy by creating local manufacturing jobs. We see examples of manufacturing job losses right across New South Wales. Regions badly need these jobs. However, we know over 1,000 rail manufacturing jobs have been lost in the Hunter and Newcastle region since 2015. Another example of this Government's failure to ensure retention of local manufacturing jobs was the closure in 2018 of New South Wales bus manufacturer Custom Bus. One hundred and sixty-one people lost their jobs. Many of those workers had been with the company for decades.

Custom Bus had manufactured buses since 1935 for both public and private bus operators, yet it primarily built buses for the Sydney public bus network. This manufacturer closed as result of this Government's decision to send several large contracts for new buses to overseas and interstate manufacturers. For instance, the Government purchased 38 double-decker buses from Malaysian manufacturer Gemilang. Instead of making the buses right here in New South Wales, the Government decided to send jobs to Malaysia and ensured that workers in New South Wales lost their jobs. Factories in New South Wales should not be closed and good jobs should not be lost overseas.

We have all seen how this Government sent large train manufacturing contracts overseas to South Korean and Chinese manufacturers. Transport manufacturing should be a growth industry in New South Wales. We should be investing in jobs in New South Wales to build our public transport. The Liberals and The Nationals

should be insisting on local content requirements to ensure that our local industry will benefit from public transport contracts, but now we are seeing how local workers largely have missed out. When governments procure services and infrastructure from the private sector, they should use that as an opportunity to set requirements that improve employment conditions in the industry and attain other goals, such as employment of more apprentices and trainees—that would be novel, would it not?—and increased representation of women and Indigenous people.

Major government procurement contracts should set minimum requirements for numbers of new apprentices and/or trainees—do members remember those days?—who must be employed for the life of the contract. Those levels should be set in consultation with unions, industry and the State Government. The Government can use procurement to source local manufactured goods and services. However, this Government is more interested in outsourcing jobs overseas than giving workers of this State reliable employment. New South Wales has the potential and the resources to manufacture transport. Giving the opportunity to the manufacturing organisations of our State should be of the highest importance. The Liberals and The Nationals should be ashamed of failing to prioritise the manufacturers that are available and capable in New South Wales to make the most of those opportunities.

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

Motion agreed to.

The House adjourned at 22:39 until Tuesday 19 November at 14:30.