

LEGISLATIVE COUNCIL

Wednesday, 7 August 2019

The PRESIDENT (The Hon. John George Ajaka) took the chair at 11:00.

The PRESIDENT read the prayers.

Sessional Orders

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. ADAM SEARLE (11:01): I move:

That the sessional order for take note of answers to questions be amended by omitting paragraph 2. And inserting instead:

2. Debate on the motion may canvass any answers to oral questions asked that day and any deferred answers, answers to written questions or written answers to supplementary questions.

Motion agreed to.

Motions

SOUTHERN HIGHLANDS RURAL FIRE SERVICE AWARDS

The Hon. LOU AMATO (11:02): I move:

1. That this House notes that:
 - (a) on Thursday 27 June 2019 at Mittagong RSL Club the NSW Rural Fire Service held the Southern Highlands Medal Presentation;
 - (b) the event was held to recognise the exemplary community contribution of the members of the Southern Highlands NSW Rural Fire Service;
 - (c) seventeen National Medals and Clasps and 39 Long Service Medals and Clasps were awarded to 53 recipients;
 - (d) the total combined service of those receiving awards totals 1,077 years of service;
 - (e) distinguished guests included:
 - (i) the Hon. Lou Amato, MLC, representing the Hon. David Elliott, MP, Minister for Police and Emergency Services;
 - (ii) Senior Assistant Commissioner Bruce McDonald, AFSM, (representing Commissioner Shane Fitzsimmons, AFSM);
 - (iii) Mr Nathaniel Smith, MP, State member for Wollondilly;
 - (iv) Councillor Matthew Deeth, Mayor, Wollondilly Council;
 - (v) Councillor Duncan Gair, Mayor, Wingecarribee Council;
 - (vi) Mr Stephen Jones, MP, Federal member for Whitlam;
 - (vii) Mr Michael Malone, General Manager, Wollondilly Council; and
 - (viii) Superintendent Martin Surrey, Manager, Southern Highlands.
 - (f) the following members of the Southern Highlands Rural Fire Service received the following awards:
 - (i) National Medal for 16 years of service: Matt Gould, Max Lazarus, Lorna Sparkowski, Peter Sparkowski and David Taylor;
 - (ii) National Medal for 17 years of service: Cheryl Ashton, Serge Crismale and Jamie Illistom;
 - (iii) National Medal for 19 years of service: Bradley Helson and Brendon O'Connor;
 - (iv) National Medal and Long Service Medal for 21 years of service: Jay Rasmussen;
 - (v) National Medal 1st Clasp for 25 years of service: Lisa McSweeney;
 - (vi) National Medal for 25 years of service: Russell Moore;
 - (vii) National Medal 1st Clasp for 34 years of service: Tracey Lawrence;
 - (viii) National Medal 2nd Clasp for 35 years of service: Graham Bennett, AFSM;

- (ix) National Medal 1st and 2nd Clasps for 41 years of service and Long Service Medal 3rd Clasp: Peter Lawrence;
 - (x) National Medal 2nd and 3rd Clasps for 46 years of service and Long Service Medal: Peter Fallon;
 - (xi) Long Service Medal for 10 years of service: Andrew Dobson, as a member of the Buxton Brigade; Daniel Farmer, as a member of the Moss Vale Brigade; and Terence Gunter, as a member of the Wilton Brigade;
 - (xii) Long Service Medal for 11 years of service: Gaynor Hanna, as a member of the Wingecarribee Communications Brigade; Douglas Roach, as a member of the Wingello Brigade; Joanne Roche, as a member of the Douglas Park Brigade; and Carlyle Seers, as a member of the Wingello Brigade;
 - (xiii) Long Service Medal for 12 years of service: Debra Ford, as a member of the Wollondilly Communications Brigade; Debborah Kerr, as a member of the Oaks Brigade; Patrick Reeve, as a member of the Oaks Brigade; Shane Thomas, as a member of the Oaks Brigade; and Jeremy Wilson, as a member of the Oaks Brigade;
 - (xiv) Long Service Medal for 13 years of service: Russell Bott, as a member of the Lakesland Brigade; Terry Bruce, as a member of the Exeter Brigade; Bryan Herd; as a member of the Theresa Park Brigade; and William Williamson, as a member of the Wingello Brigade;
 - (xv) Long Service Medal for 14 years of service: Matthew Brown, as a member of the Oaks Brigade;
 - (xvi) Long Service Medal for 15 years of service: Timothy Ball, as a member of the Wingello Brigade;
 - (xvii) Long Service Medal for 17 years of service: Bruce Lloyd, as a member of the Exeter Brigade; and Theresa Sheehan, as a member of the Wingecarribee Communications Brigade;
 - (xviii) Long Service Medal 1st Clasp for 20 years of service: Robert Boardman, as a member of the Oaks Brigade; Matthew Lees, as a member of the Moss Vale Brigade; Kathleen Radford, as a member of the Wollondilly Communications Brigade; Adrian Reynolds, as a member of the Bundanoon Brigade; and Michael Staines, as a member of the Theresa Park Brigade;
 - (xix) Long Service Medal 1st Clasp for 21 years of service: John Brock, as a member of the Bundanoon Brigade; Bradley Curtis, as a member of the Colo Vale Brigade; and Nick Megisidis, as a member of the Thirlmere Brigade;
 - (xx) Long Service Medal 1st Clasp for 23 years of service: Tristan Lees, as a member of the Moss Vale Brigade; and James McFarlane, as a member of the Menangle Brigade;
 - (xi) Long Service Medal 2nd Clasp for 30 years of service: Michael Fergusson, Hugh Gent, and Robert Hogg;
 - (xii) Long Service Medal 2nd Clasp for 37 years of service: Geoff Browne;
 - (xiii) Long Service Medal 1st, 2nd and 3rd Clasps for 46 years of service: Arthur Griffiths; and
 - (xiv) Long Service Medal 4th Clasp for 50 years of service: Peter Shearer.
2. That this House acknowledges:
- (a) the contribution of the Southern Highlands Rural Fire Service in protecting the community against the dangers of bushfires; and
 - (b) the dedication, commitment and community service of the highly trained personnel of the NSW Rural Fire Service.
3. That this House congratulates and thanks all those who received awards for their outstanding service to the Southern Highlands community.

Motion agreed to.

BALLINA SES YOUTH EDUCATION TEAM TRAINING IN EMERGENCY SERVICES PROGRAM

The Hon. BEN FRANKLIN (11:02): I move:

1. That this House notes that:
- (a) the Ballina SES Youth Education Team Training in Emergency Services [YETTIES] Program graduation was held on Tuesday 2 July 2019 at the SES Ballina headquarters;
 - (b) the YETTIES program educates and trains young people in emergency services skills and activities; and
 - (c) the program was developed from the New South Wales SES Cadet Program in 2016 and conducted by members of the Ballina SES Unit.
2. That this House congratulates the following students who took part in the YETTIES program: Dakota Harder, Chantelle Rose, Aden Pett, Kiana Hale, Ethan Jorgensen, Francois Van Kempen, Riley Green, Ryley Melhuish, Matthew Tapping, Curtis Versace, Blake Anschau, Kennedy Benson, Paloma Didia, David Osses-Santander, and Cadyn Worling.

3. That this House recognises and thanks Ballina Unit SES Local Controller Gerry Burnage, Coordinator Graham Cork and all the Ballina SES team for their work in running the YETTIES program.
4. That this House acknowledges all SES members and volunteers across New South Wales for their tireless work in assisting the community during emergencies.

Motion agreed to.

ASHLEIGH BARTY

The Hon. NATALIE WARD (11:02): I move:

1. That this House notes that:
 - (a) Miss Ashleigh Bartly secured the women's singles world number one tennis ranking by the Women's Tennis Association in Birmingham on 23 June 2019, at the Birmingham Classic Tournament;
 - (b) Miss Bartly is the first Australian woman to attain world number one ranking status in almost half a century;
 - (c) she is the second Australian to be ranked number one in the Women's Tennis Association singles rankings after Evonne Goolagong Cawley;
 - (d) in 2019 she also became the first Australian to win the French Open in singles, since Margaret Court in 1973; and
 - (e) this outstanding result is a significant milestone for Australian women in sport.
2. That this House congratulates Miss Ashleigh Bartly on her outstanding achievements in tennis, for making history in Australia and inspiring sports women and girls across the nation.

Motion agreed to.

BASTILLE DAY FESTIVAL 2019

The Hon. NATALIE WARD (11:03): I move:

1. That this House notes that:
 - (a) on 13 July 2019, the New South Wales French community in Sydney held the seventh Bastille Day Sydney Festival to commemorate the storming of the Bastille in 1789, a turning point in the French Revolution, and now known as La fete nationale, or French National Day, on 14 July 2019;
 - (b) the Bastille Day Festival took place in Sydney's Overseas Passenger Terminal;
 - (c) the following guests attended:
 - (i) His Excellency Mr Christophe Penot, Ambassador of France;
 - (ii) Mr Nicolas Crozier, Consul-General of France in Sydney;
 - (iii) the Hon. Don Harwin, MLC, Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts representing the Premier;
 - (iv) the Hon. David Elliott, MP, Minister for Police and Emergency Services;
 - (v) the Hon. Gareth Ward, MP, Minister for Families, Communities and Disability Services;
 - (vi) Mr Bruce Baird, AM; and
 - (vii) Mr Trent Zimmerman, MP.
 - (d) the French Consul-General, Nicolas Crozier, completed his term in Australia in July 2019 and was thanked and farewelled at the celebration.
2. That this House acknowledges:
 - (a) the service given by Consul-General Crozier and thanks him for his work in Australia; and
 - (b) that Bastille Day/French National Day is one of France's most important historical events and that France and Australia have strong cultural, diplomatic, trade and tourism relations, with over 100,000 people of French descent calling Australia home.

Motion agreed to.

REPUBLIC OF CROATIA NATIONAL DAY

The Hon. LOU AMATO (11:03): I move:

1. That this House notes that:
 - (a) on Saturday 29 June 2019, the National Day Republic of Croatia was celebrated at the Croatian Club, Edensor Park;
 - (b) the celebrations included the following events:

- (i) a cocktail reception to introduce the Hon. Lou Amato, MLC, representing the Premier of New South Wales, Gladys Berejiklian, MP, and the Minister for Multiculturalism, the Hon. John Sidoti, MP, to the Croatian community, followed by the commencement of the celebrations with 400 guests;
 - (ii) national anthems of Australia and Croatia were played;
 - (iii) address by Mr Chris Hayes, Federal member for Fowler; and
 - (iv) address by the Hon. Lou Amato, MLC.
- (c) the following distinguished guests participated in the celebrations:
- (i) Consul-General of Republic of Croatia in Sydney Mr Ivica Glasnovic;
 - (ii) Ambassador Extraordinary and Plenipotentiary Ms Betty Pavelich Sirios;
 - (iii) Federal member for Fowler, Mr Chris Hayes MP;
 - (iv) the Hon. Lou Amato, MLC, representing the Premier of New South Wales, Gladys Berejiklian, MP, and the Minister for Multiculturalism, the Hon. John Sidoti, MP;
 - (v) President of Croatian Australia Community Council Mr Tony Beuk; and
 - (vi) President of King Tom Club Mr Tom Lerotic.
2. That this House acknowledges:
- (a) the independence of Croatia, which was recognised by the United Nations on 15 January 1992;
 - (b) that Australia was the first country outside Europe to recognise Croatian independence on 16 January 1992; and
 - (c) the contribution of the Croatian community to New South Wales and Australia and the friendship that exists between Australia and Croatia.

Motion agreed to.

Documents

VIP GAMING MANAGEMENT AGREEMENT

Tabling of Report of Independent Legal Arbitrator

Mr JUSTIN FIELD (11:04): I move:

1. That the report of the Independent Legal Arbitrator, the Hon. Keith Mason, AC, QC, dated 31 July 2019, on the disputed claim of privilege on schedule 2 to the VIP Gaming Management Agreement, along with all the submissions received by Mr Mason during his evaluation of the documents, be laid on the table by the Clerk.
2. That, on tabling, the report and submissions are authorised to be published.

Motion agreed to.

UNPROCLAIMED LEGISLATION

The Hon. SCOTT FARLOW: According to standing order, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 6 August 2019.

VIP GAMING MANAGEMENT AGREEMENT

Report of Independent Legal Arbitrator

The CLERK: According to the resolution of the House this day, I table the report of the Independent Legal Arbitrator, the Hon. Keith Mason, AC, QC, dated 31 July 2019, on the disputed claim of privilege on schedule 2 to the VIP Gaming Management Agreement, together with submissions received by Mr Mason during his evaluation of the documents in relation to the claim of privilege.

Notices

PRESENTATION

[During the giving of notices of motions]

The PRESIDENT: I indicate to the Hon. Walt Secord that, notwithstanding he is not at the table or sitting on the front bench, I can hear him very clearly from the back bench as well. *[Later,]*

The PRESIDENT: Order! Members are well aware that these are standard motions moved by members.

The Hon. Greg Donnelly: They are vanity statements by The Greens.

The PRESIDENT: I call the Hon. Greg Donnelly to order for the first time.

Visitors

VISITORS

The PRESIDENT: I welcome into the public gallery a group of consuls from the Chinese Consulate in Sydney. The consuls are here to learn about the role of the Legislative Council and the Parliament of New South Wales. You are most welcome and I hope that your morning will be beneficial.

Business of the House

POSTPONEMENT OF BUSINESS

Mr JUSTIN FIELD: I move:

That business of the House notices of motions Nos 2 and 3 be postponed until Tuesday 20 August 2019.

Motion agreed to.

Committees

STANDING COMMITTEE ON SOCIAL ISSUES

Reference

The Hon. SHAYNE MALLARD: I inform the House that in accordance with paragraph 7 (b) of the resolution establishing the standing committees, the Standing Committee on Social Issues resolved on 6 August 2019 to adopt the following reference from the Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, as amended by the committee:

1. That the Standing Committee on Social Issues inquire into and report on the *Modern Slavery Act 2018* (NSW) (the NSW Act), the consultation draft of the *Modern Slavery Bill 2019* (the amendment Bill), and the consultation draft of the *Modern Slavery Regulation 2019* (NSW) (the Regulation), with particular reference to:
 - (a) the operability of the proposed anti-slavery scheme;
 - (b) the effect of the anti-slavery scheme on business, including the supply chain reporting obligations under section 24 of the NSW Act;
 - (c) the intended application of the anti-slavery scheme with respect to charities and not-for-profit organisations, State-owned corporations and local councils;
 - (d) the appropriateness and enforceability of Modern Slavery Risk Orders under section 29 of the NSW Act;
 - (e) the unintended consequences of drafting issues with the NSW Act, including with respect to the *Human Tissue Act 1983* (NSW) and the sale and supply of human tissue;
 - (f) the risk of a possible constitutional challenge to current provisions in the NSW Act due to inconsistencies with the *Criminal Code Act 1995* (Cth);
 - (g) whether the passage of the Modern Slavery Act 2018 (Cth) renders parts or all of the NSW Act unnecessary, or requiring of amendment to address inconsistencies or gaps;
 - (h) the preferred course of action to address the matters identified; and
 - (i) any other related matter.
2. The committee shall have regard to the Government submission enclosed with the terms of reference.

Rulings

TAKE NOTE OF ANSWERS TO QUESTIONS

The PRESIDENT: Yesterday during the take-note debate on answers, I reserved my rulings on a number of matters. First, the Hon. Walt Secord took a point of order on the contribution being made by the Hon. Shayne Mallard. At the time, I indicated:

I believe—and I hope I am wrong—that the Hon. Shayne Mallard is going well beyond the answer that was given by the Minister ... rather he is giving part two of the Minister's answer.

After examining *Hansard*, I indicate that I am partly correct. The Hon. Shayne Mallard states in his answer, which was not stated by the Minister in his answer:

It is important to emphasise the reputational benefits for our State versus other States in competition for investment in this sector.

I uphold the point of order of the Hon. Walt Secord. There is also a second aspect of the contribution of the Hon. Shayne Mallard that was not raised in the point of order but which I feel compelled to comment on. As stated in previous rulings by me, the purpose of the take-note debate is to canvass any answers to oral questions asked that day and any answers to written questions received. It is not an opportunity for a member simply to repeat word for word an answer given by the Minister. The majority of the contribution given by the Hon. Shayne Mallard prior to the point of order repeats on four occasions the exact wording of the answer of the Minister. Those four occasions are easily identifiable when examining *Hansard*. Sessional Order 28 states that the House take note of

answers given to questions. Simply repeating word for word the answer given by a Minister is not within the intent of the sessional order.

Secondly, in respect of the contribution of the Hon. Daniel Mookhey, I simply confirm the indication given previously by me at the conclusion of his contribution. Thirdly, in respect of the Hon. Mark Latham seeking a second call for the take-note debate, I advise honourable members that yesterday during the debate to take note of the answers the Hon. Mark Latham sought to speak for a second time. I indicated at the time that, according to paragraph (4) of Sessional Order 28:

A member may speak for not more than 3 minutes to the motion, the mover is not entitled to a right of reply, and a Minister speaking for not more than 3 minutes will close the debate

Therefore, a member was entitled to speak in debate only once, even if the total debate time of 30 minutes had not expired. I advised the House that I would consider this matter further. After further consideration, I continue to be of the view that under the sessional order as it is currently framed a member may speak only once during debate to take note of answers to questions. This is also consistent with other procedures in the House where members generally have only one opportunity to contribute to debate on a question before the House. Of course, a member speaking once for up to three minutes can speak on any number of answers to questions given by Ministers.

Matter of Public Importance

CROWN RESORTS

Mr JUSTIN FIELD (11:27): I move:

That the following matter of public importance be discussed forthwith:

The recent allegations regarding Crown Resorts and the granting of the VIP gaming facility casino licence in New South Wales.

I think many Australians were shocked at the revelations in the media with regard to Crown Resorts in the past couple of weeks. Those allegations were backed up by a huge leak of internal Crown documents. Media organisations have confirmed that a lot of the information was supplied by whistleblowers, court documents and other publicly available information. They are allegations of business relationships between Crown and individuals linked to organised crime, money laundering, Chinese Communist Party influencing operations in Australia, drug smuggling and sex trafficking. This is a major Australian corporation and the allegations suggest clear links to individuals associated with those sorts of activities. I understand that the Government intends to support this matter being brought on as a matter of public importance today so I will not give a full explanation as to why I think it is so important. I thank the Government for giving me that undertaking, and I will address the matter in more detail during the substantive debate.

At the outset I make clear why this is a matter of importance to the people of New South Wales. Crown Resorts has been given approval and a casino licence to build the Barangaroo casino less than two kilometres from here. The casino is being built as a VIP gaming facility. It is designed to attract very high rollers, and the way that high-roller casino operations work has been a key subject of allegations in the media. One element of the media coverage in the past couple of weeks was that the Australian Federal Police have held multiple investigations into associates of Crown Resorts. Junket operators were being prosecuted for money laundering—including individuals with clear associations and connections to organised crime—at the very time that the probity assessment for the Barangaroo gaming licence was being considered by the Independent Liquor & Gaming Authority.

That is how this issue is relevant to New South Wales and that is why it is an important matter to be discussed in this Parliament. It is a matter of significant concern in the New South Wales community and relates to a major business operating in our State that has made significant financial contributions and commitments to the Government. I look forward to the discussion in the House.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (11:30): The Government will not oppose the motion.

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

Motion agreed to.

Mr JUSTIN FIELD (11:31): I thank all members for acknowledging that this matter is of public importance to the people of New South Wales. In June 2014 this Government signed an agreement with Crown Resorts and associated companies and issued a 99-year restricted gaming licence to Crown for its Barangaroo casino, to commence no earlier than 15 November 2019. That casino hotel complex is currently being built just

down the road. The agreement was controversial at the time and remains controversial today. It was an unsolicited proposal, and we all know that certain conditions for unsolicited proposals were changed in advance of that unsolicited proposal being received—seemingly to benefit the interests of Crown Resorts. A significant proportion of public land has been handed over to a private company to build a member-only VIP casino and six-star hotel.

I bring this matter to the Legislative Council because the recent revelations reported in the media about Crown Resorts have not only shone a spotlight on how Crown operates and its links with criminals, but they have also raised serious questions about how it ever got a licence to operate a casino in New South Wales in the first place. I turn to some of the critical facts that outline why this is a matter of public importance for this Parliament and the public. On the issue of the restricted gaming licence, Crown agreed to pay a \$100 million licence fee to the New South Wales Government within five days and also agreed to pay \$1 billion in gambling taxes in the first 15 years of its operations.

As a result of the revelations reported in the media in the past fortnight, the public now know that at the time the Government was conducting its probity checks into Crown to grant its Barangaroo casino licence, the Australian Federal Police were conducting multiple investigations into money laundering by persons associated with Crown and their links to organised crime. In fact, at least one prosecution had occurred in the months before Crown submitted its casino application to the Independent Liquor & Gaming Authority [ALGA].

The House is discussing this matter of public importance because two fundamental questions need to be answered by this Government. First, how did Crown Resorts get a casino licence in New South Wales at the same time that Crown associates who were fundamentally linked to its high roller gambling business model were being investigated and prosecuted for laundering money and organised crime? Second, given everything that has been reported in the past fortnight, how can Crown still be considered a suitable organisation to operate a casino in New South Wales? For the benefit of members, it is useful to go through some of the timeline to demonstrate exactly how the revelations in the media relate to the decisions made at the time of the licence application and approval.

In November 2013 the Government announced a binding agreement with Crown to develop a VIP facility. The key elements of the agreement included the commitment of \$100 million up front as a licence fee and \$1 billion in gaming taxes over 15 years. It will be a VIP-only casino—no poker machines. Those were the key agreements at the time. The agreement was conditional on statutory approval by the Independent Liquor & Gaming Authority and planning consent. However, the binding agreement then triggered the introduction of legislation to allow a separate restricted gaming facility in the Casino Control Act. That legislation was passed by Parliament that very same month. To be clear, the Barangaroo casino is not a general casino: Only members and their guests will be allowed to play and poker machines are not permitted. A minimum debt of between \$20 and \$35 for particular tables means that the casino is targeted to the wealthier end of the casino market. Crown has made clear that Chinese and other Asian high rollers are a major target market for the Barangaroo facility.

In December 2013, one month after the commitment made by the Government, Crown Resorts made a formal application to ILGA for a casino licence, which is the process. The probity assessment took just three months. We know that because after the approval was issued in 2014 Independent Liquor & Gaming Authority CEO Micheil Brodie spoke to a gaming and gambling conference and his comments were reported in the media. He said that the speed of the assessment "probably rates as one of the fastest assessments of a casino applicant in history". The article then paraphrases Mr Brodie saying that the speed of the assessment was because the New South Wales Government directed the authority to take into account findings of an earlier probity check into Crown, which fast-tracked the process. It is not clear from Mr Brodie's comments or in any of the publicly available information that I have seen why the Government made that direction. At the time of the final approval ILGA issued a press release, which states:

The authority also took into account information obtained through its previous investigation concerning the Crown Group in relation to Crown's application to acquire up to 23% of Echo Entertainment, which was completed on 10 May 2013.

That acquisition was completed just six months before the licence application was made. In addition to the restricted gaming licence that was issued by the Government, Crown entered into a VIP Gaming Management Agreement with the Government which sets out certain requirements for the operation of the restricted gaming facility. Interestingly, and entirely coincidentally, elements of that agreement may be made public in the next couple of days as a result of my challenge to the privilege of certain elements of that document. In its media release on the approval of the licence ILGA stated:

In assessing the application, the Authority was required to determine if Crown Sydney and all close associates of Crown Sydney were suitable to be concerned in or associated with the management and operation of the proposed Barangaroo Restricted Gaming Facility. It was also necessary to consider all business associates of Crown Sydney and of its close associates.

The media release goes on to state:

The Authority's investigations and considerations were conducted for the purpose of ensuring that:

...

- the facility would remain free from criminal influence, exploitation and undesirable or unsatisfactory financial sources ...

This background information is essential in understanding why this issue is of importance. Australians are shocked by what they have seen in the media, which include allegations of direct business relationships between Crown and individuals linked to organised crime, money laundering, Chinese Communist Party influence operations, drug smuggling and sex trafficking. It seems we have a bit of a conflict when we compare those allegations to the expectations of the probity audit that ILGA outlined in its press release at the time, which stated, "considerations were conducted for the purpose of ensuring the facility would remain free from criminal influence, exploitation and undesirable or unsatisfactory financial sources".

I acknowledge that many of the connections that were outlined in the media relate to Crown's Perth and Melbourne casinos, but the business model that those allegations use is the business model that Crown is exclusively relying on in its Barangaroo facility. Those circumstances and this evidence give rise to significant questions of process, probity and undue influence, and whether Crown should ever have been considered a suitable organisation to operate a casino in New South Wales.

We know that the Australian Federal Police were investigating associates of Crown who were involved in money laundering and who had links to organised crime at the time that the probity review into the casino licence was being conducted. It was also conducting an investigation at the time of the previous probity review, which is mentioned in the ILGA press release. Since the licence approval Crown has continued to work with individuals who have known links to organised crime, money laundering and other criminal activities. That has been outlined in significant detail in the media reports over the last two weeks.

We know that Crown's plans for Barangaroo are based on particularly attracting Chinese high rollers. In 2016, 18 Crown staff in China were arrested and convicted of breaching mainland China's laws that ban gambling and its promotion, including the luring of high rollers to off-shore casinos. This confirms Crown's aggressive approach to this model. The public are right to ask questions about what has happened, specifically probity questions such as: Why did the probity review not find Crown had links to individuals involved with money laundering and organised crime? Or, if it did, what did the review say about it? What did the probity review find? What was the Government considering when it finally signed off on this licence? Was the probity review adequate for a proposal of this nature? Did ILGA seek information from law enforcement agencies as part of its probity review? If it did not, did the directions that it was given by the Government—which are mentioned in Mr Brodie's comments in the media—have an influence on what matters were considered and what was not considered as part of the probity review? Why was it fast-tracked?

There are also other questions about how the Government handled this unsolicited proposal and its responsibility to the broader public interest over the pressure of wealthy gambling interests in this State. I have called for a special commission of inquiry into the influence of gambling in New South Wales. I will not go through the links because they are extensive, but this is another piece of evidence that has raised concerns in the community. How can the promise of \$100 million in an upfront licence fee and a \$1 billion commitment to gambling taxation, even before the probity review is conducted, be seen as anything other than a form of institutionalised bribery?

Based on the evidence in the public domain today it is certain that at least a portion of the \$1 billion in gambling tax revenue committed to by Crown in the 2014 agreement would come from the proceeds of organised crime. The public would be right to question whether the probity assessment in 2013-14 was so lax that it failed to clearly identify this risk to Government, or whether the Government knew and just did not care. The simple facts of this matter deserve debate and I am glad debate is taking place in this Chamber, but the matter also deserves a thorough response from the Government.

Once again, the Crown revelations have lifted the veil on the capture of democracy by the gambling industry—and not just in New South Wales. It is a much bigger issue. I note there has been some movement at the Federal level. But that capture of democracy by the gambling industry is significant and it strengthens my calls for a special commission of inquiry into the influence of gambling interests in New South Wales. I thank members for their support for this debate and I look forward to hearing the Government's response.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (11:43): I thank the Mr Justin Field for his contribution. I will speak against the motion. I do so on the basis that in this place I represent the Minister for Customer Service, who has responsibility for Crown and all the issues that have been raised. My comments are not based on direct knowledge but come from instructions and advice I have received. The media reports that are currently circulating make allegations about Crown's operation of its Melbourne casino. Those matters are incredibly serious. However, it is critical that those allegations be assessed and actioned as appropriate

by processes that this Parliament and others around the country have put in place to deal with allegations of that kind. The allegations raised against Crown are already the subject of numerous Federal and State investigations and inquiries, including ongoing inquiries by the Independent Liquor & Gaming Authority [ILGA] concerning any change in the close associates of the Barangaroo gaming facility licensee.

While I can appreciate Mr Justin Field's intention in moving this motion, I suggest that his primary focus may well be to level unsubstantiated allegations at this Government and this Parliament about the granting of a restricted gaming licence to Crown. I can confirm that this licence was granted only after comprehensive assessment of its value to the State of New South Wales, probity assessments into the suitability of Crown as an operator, and approval by this Parliament of the licence being issued. On 12 November 2013, Premier Barry O'Farrell announced that the New South Wales Government had entered into an agreement with Crown Resorts Limited to develop a VIP restricted gaming facility at Barangaroo following an unsolicited proposal. The decision to move forward with the unsolicited proposal occurred only after a comprehensive three-stage process.

Stage one of the process involved the initial submission by Crown Resorts. Stage two involved the assessment of the proposal by an independent steering committee chaired by former head of the Australian Future Fund, David Murray, AO. The final stage before the proposal came to Government for decision involved detailed negotiations oversaw by the Hon. Ken Handley, AO, QC, who provided probity supervision and advice. Before the Government entered into an agreement with Crown to operate a restricted gaming facility, Crown was subject to comprehensive probity assessments to determine whether it was an appropriate entity to run a casino in New South Wales. Those investigations considered the corporate structure of Crown, how it ran operations in Melbourne and Western Australia, and the suitability of key personnel.

While a standalone probity assessment was undertaken at this time, the probity investigation also had the benefit of considering previous probity inquiries of Crown undertaken by the Independent Liquor & Gaming Authority, including the 2012-13 investigation of Crown with respect to its proposed acquisition of a 25 per cent stake in Echo Entertainment, the then operator of what is now known as The Star. This 2012-13 investigation considered the corporate structure of Crown and the control it would have over casino operations, whether there were persons involved in Crown that would not be suitable persons for the running of a casino, as well as its current management of its casino properties.

Following those separate probity processes, the Government entered into a framework agreement with Crown, which was endorsed by this Parliament and resulted in amendments to the Casino Control Act to allow the Independent Liquor & Gaming Authority to determine whether to issue Crown a licence and, if so, what conditions would be put in place to ensure that Crown remained a suitable person to operate a casino in New South Wales. One of the conditions requires that Crown prevents Dr Stanley Ho from acquiring any direct, indirect or beneficial interest in Crown or associated entities, or holding a position of control in any of those companies. It also requires that Crown ensure that it prevents any new business activities or transactions of a material nature between Dr Ho and Crown.

Mr Justin Field has raised concerns that the authority did not undertake a comprehensive probity assessment before issuing Crown a licence. He is incorrect and his allegations are based on comments of the authority's then chief executive officer that were taken out of context at the time they were reported. While I note that the then CEO indicated that probity investigations as part of the licensing process were conducted quickly, this does not mean that probity assessments were not comprehensive. The authority's deliberations were conducted with the usual high level of diligence and independence from Government that characterises the Independent Liquor and Gaming Authority. Following the initial media reporting the CEO clarified that the authority's probity investigations took a shorter period than usual as earlier probity investigations assisted with the recently completed investigation into Crown. This included its own previous inquiry into Crown, the probity investigations undertaken by Government before the framework agreement was entered into and a fresh probity investigation predominantly completed by authority staff with PwC providing additional expertise and support.

In reaching its decision the authority made clear that it exercised its statutory role in determining to grant the restricted gaming licence separate from and independently of the Government's agreements with Crown, the Minister's approval of negotiations being undertaken for a licence and of the Treasurer in his role as the Minister responsible for the duty agreement with Crown. It is wholly appropriate that the authority had regard to and took advantage of work that had already been done to date and did not unduly delay making a decision by redoing work that had already been done. Crown remains subject to the continuing oversight of the authority as well as strict controls under the Casino Control Act 1992. Those controls ensure that Crown must at all times continue to be a suitable person to operate a casino in New South Wales, irrespective of what agreements have been reached in the past.

The Government welcomes the ongoing work of ILGA in maintaining oversight of casino operations in New South Wales and being proactive in identifying and responding to risks. I also welcome news that earlier this week the authority used its comprehensive investigation powers to issue mandatory notices to Crown to produce information pertaining to the allegations. While some media reporting has focused on concerns that the Victorian regulator does not have sufficient powers to oversee casino operations, New South Wales is far removed from this. ILGA has extensive powers to undertake investigations including the power to compel the production of documents, compel witnesses to answer questions, issue directions for a casino operator to undertake any remedial action and undertake disciplinary proceedings against an operator. Those powers can result in conditions being imposed, penalties costing up to \$1 million or the suspension or cancellation of the licence.

While the Government will ensure that this investigation is undertaken independently by the authority it supports strong action being undertaken if there has been any impropriety. I assure the House that the matter is well in hand and that it is wholly appropriate that further action is not taken at this stage to ensure that ILGA can undertake its investigations without interference from this Parliament.

The Hon. JOHN GRAHAM (11:54): I thank the Government for its contribution to this debate and Mr Justin Field for moving this motion. As the former gaming spokesperson for the Opposition I place on record some of our views. Sophie Cotsis, MP, now holds my former position. A number of serious allegations have been placed on the public record as a result of those investigations. They are of concern to the public, which has been observed in the Federal Parliament and in the Victorian Parliament. The Opposition also views those issues as serious but I note that they have been heavily contested by Crown. The Opposition would apply the following principles when approaching the issues. Firstly, this is a heavily regulated industry, which is entirely appropriate. The probity reviews that the Minister has referred to are serious issues. Secondly, we welcome the jobs and investment that those establishments bring. Thirdly, and importantly, there must be public confidence in the operation of casinos. That is why the Opposition takes the view that it does today.

The Minister has referred to a current review being undertaken by the State's independent gaming authority. That review relates to the terms of sale for contract. I make clear that it does not relate to these allegations—that is a crucial distinction. The Opposition has said that the gaming Minister needs to say publicly whether he is concerned that the sale of a stake in Crown to Lawrence Ho will be a trigger underneath the legislation. The Minister has not yet done so. We have indicated that it would be appropriate for the Minister to seek immediate assurances from Crown about that and we expect him to be taking every step to clarify that matter. The Opposition has also placed its views relating to the sale process on record previously. However, that issue is separate to the issues that have subsequently been raised. The honourable member is quite correct in saying they may have implications for Crown's operations. The Opposition does not say that they do—as they are contested—but they could have. Appropriately, the public needs to be reassured. I join the member in saying that the Government should make clear exactly what it is doing.

The Minister states that there is some suggestion that the Independent Liquor & Gaming Authority [ILGA] did not undertake a comprehensive probity assessment. I do not believe nor do I accept that that is the case; it was clearly comprehensive. However, serious questions have been raised by these investigations. The Minister's contribution has not indicated the Government's position on those questions. It is appropriate for the public to know whether, in the course of those probity reviews, ILGA got the information from Federal agencies, what the directions of the Government were and whether it has influenced the probity review. Those issues are important. Were those matters, which have subsequently become public, being considered in those probity reviews? It is a straightforward question. We should be able to say if those matters were covered in that review. I call on the Government to make that clear.

The Opposition says those are questions that should be answered and that those matters should be on the public record. They are matters of concern to the public and we believe the Government should be clear about them. Attorney-General Christian Porter has referred the matter to the Australian Commission for Law Enforcement Integrity for review. The Australian Criminal Intelligence Commission has launched a special investigation into organised crime in casinos. The Victorian Commission for Gambling and Liquor Regulation has also launched a review. That has not happened in New South Wales. The Minister has indicated that those matters are subject to continuing oversight. The Opposition calls on the Government to answer those questions and make clear why the action it takes is different to that of other jurisdictions.

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

*Questions Without Notice***ABORIGINAL LANGUAGES LEGISLATION**

The Hon. ADAM SEARLE (12:00): My question is directed to the Leader of Government Business in the Legislative Council, and Minister for Aboriginal Affairs. Why has the Government failed to proclaim the Aboriginal Languages Act, which was passed unanimously by this Parliament in October 2017—almost two years ago? Does the Government have any intention of bringing it into force and effect?

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) (12:00): I can assure the Hon. Adam Searle that we have an absolute commitment to Aboriginal languages and we are working on that. I am surprised by the assertion that he makes. The bill was enacted prior to the last election. I will make inquiries and seek to provide him with an answer by the end of question time.

PUBLIC LIBRARY FUNDING

The Hon. TAYLOR MARTIN (12:01): My question is addressed to the Minister for the Arts. Will the Minister update the House on funding for New South Wales public libraries?

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) (12:01): I thank the honourable member for his question. I am delighted to say that the Government's \$60 million increase to public library funding over the next four years is a reality—it has happened. This is the biggest single increase to public library funding since the Library Act was introduced in 1939. Communities across the State will see public libraries transformed as a result of this funding. In 2019-2020 the grants and subsidies provided to local councils for public libraries will total a record \$36.5 million.

Public libraries offer so much to the people of New South Wales, including quality collections, comfortable and safe public spaces, high-speed internet, as well as community events and programs. The new funding will increase public library per capita subsidies and subsidy adjustments, which are calculated on a sliding scale according to need. All councils will receive increases to their annual payment, which will enable improvements to public library collections, opening hours and services. For instance, this year Brewarrina Shire Council will receive a 226 per cent increase; Tenterfield Shire Council, a 133 per cent increase; and Forbes Shire Council, a 117 per cent increase. That is an outstanding result. The new funding package will also include a capital grants program of \$24 million over four years, which will enable improvements to public library buildings and information technology systems.

The State Library of New South Wales will be working closely with local councils on library improvement projects as the funding is allocated. Importantly, the per capita year-on-year increases in the public library subsidy have been prescribed by regulation. That will provide certainty for councils for the next four years. This funding will also support free internet connectivity in public libraries through the NSW.net service. This year the wireless hotspots of 84 libraries will be upgraded, and more are scheduled in future years. In addition to the \$60 million public library funding package, the Government has also provided \$500,000 per annum over the next four years to support Vision Australia library services. This support, which is also provided through the State Library, will enable Vision Australia to expand its library services and provide a greater selection of audio and braille books to the 126,000 people who are vision impaired in New South Wales. I am very proud of that decision. *[Time expired.]*

LANDCOM ANTI-BULLYING ALLEGATIONS

The Hon. PENNY SHARPE (12:04): My question is directed to the Leader of the Government Business in the Legislative Council, and Minister for the Public Service and Employee Relations. Landcom Chair Suzanne Jones was the subject of serious allegations of bullying, which were independently investigated. Given that the recommendations to Treasury Secretary Mike Pratt were that she not continue in her role, why has she been allowed to return to duty?

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) (12:04): The question does not concern a matter directly within my portfolio of responsibilities. I will take it on notice and provide a response from the relevant Ministers and agencies.

CROWN CASINO

Mr JUSTIN FIELD (12:05): My question is directed to the Leader of the Government Business in the Legislative Council, representing the Premier. Minister, was the New South Wales Government aware of

investigations linking Crown with organised crime figures when it fast-tracked the probity assessment into the Barangaroo casino proposal and accepted a \$100 million licence fee? If so, why is Crown a suitable business to operate a casino in New South Wales? If not, why was the Government not aware?

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) (12:05): A number of Ministers will have something to contribute on that topic, in particular the Minister for Customer Service who is responsible for the Casino Control Act. I do not have that information with me. I do not represent the Minister for Customer Service in this Chamber, but I will be very happy to assist and provide the member with a response.

TAMWORTH PUBLIC SCHOOL UPGRADE

The Hon. TREVOR KHAN (12:06): My question is addressed to the Minister for Education and Early Childhood Learning. Will the Minister update the House on the upgrade to Tamworth Public School?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:06): I thank the honourable member for his question and his obvious interest in Tamworth as a local resident. The Government's record \$6.7 billion school building program will deliver 190 new and upgraded schools across the State. A lot of projects are currently underway but as the Leader of the Nationals in this place I am particularly aware of the importance of the projects in regional New South Wales. Through our investments in schools and the opportunities we provide students we can break the tyranny of distance and ensure that students right across regional New South Wales are given every opportunity to achieve their best.

It gave me great pleasure recently to join the member for Tamworth and the students at Tamworth Public School to officially mark the start of construction of a new learning space. This Government's investment in the school will see a new two-storey classroom block built and seven additional classrooms. The upgrade will include a new hall, the refurbishment of existing classrooms to provide three new practical activity areas and the covering of walkways to provide all weather access to the school. It will also include the renewal of the former teacher's cottage. This heritage listed cottage, which was built in 1877, has been used for out-of-school-hours care and has not had any major work since 1912. The project is due for completion in 2020 and will provide flexible and adaptable teaching spaces for students. We have talked about a completion date but if that completion was delayed due to rain there probably would not be a lot of concern in the Tamworth community. As we spoke about yesterday, they are having a tough time.

During our visit to the school the principal spoke about the work that was underway. He said that the opportunities for local subcontractors and tradies to benefit from this investment is not something that initially comes to mind when talking about investment in education. If we can provide jobs for our local tradies it is a win-win situation for the local community. We know it is vital that students receive a quality education, and it is a key priority of mine to ensure that communities right across rural and regional New South Wales get their share of our record investment in school infrastructure. I am proud that the Government is delivering on a number of commitments. Some of the projects I have been able to see include the Armidale Secondary College, a new future-focused and consolidated campus that accommodates 1,500 students, which is currently is being built. Other upgrades are in Albury, Bangalow, Byron Bay, Lennox Head, Coolah, Millthorpe, Coffs Harbour, Young, Murwillumbah, Braidwood, Jindabyne, Queanbeyan, Murrumbidgee, Old Bar, Wauchope, Lake Cathie, Kingscliff, Pottsville, Tweed and Muswellbrook—just to name a few. Children across regional New South Wales deserve the very best public school education and I am committed to making sure that we deliver that. I am also thrilled for this students and the staff at Tamworth Public School who will benefit from this upgrade.

ANIMAL WELFARE

The Hon. EMMA HURST (12:09): My question is directed to the Minister for Mental Health, Regional Youth and Women, representing the Minister for Water, Property and Housing. In June, Georges River resident and long-time observer of the wetlands Dave Mercer found a dead powerful owl in the vicinity of sewage polluted water at Dairy Creek. Georges River Council said the spill was caused by leaking joints in the Sydney Water sewer main. What is Sydney Water doing to protect powerful owls and other wildlife from sewage leaking into natural waterways, including Dairy Creek?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:10): I thank the honourable member for her question. I never knew there was an owl called a powerful owl; now I know about powerful owls. I love owls, so I am very happy to answer this question. On Tuesday 25 June a wastewater overflow occurred at Dairy Creek from a Sydney Water sewer pipe within an excavation site from a Georges River Council stormwater project. The sewer pipe may or may not have been damaged by the excavation work but there is no record of any overflows from this pipe prior to the excavation work commencing. Heavy

rainfall on the same evening resulted in higher flows within the sewer pipe, which contributed to the overflow volume.

It is advised that as soon as Sydney Water was made aware of the issue it moved quickly to contain the overflow, return the sewer pipe to normal operation and clean up the waterway. Signage was erected as a precaution. Water quality testing has been completed by Sydney Water in Dairy Creek and the downstream wetland following this event. The testing observed and measured no noticeable impact on the fauna in the area as a result of the above overflow. Had there been any dead animals present, including the powerful owl, Sydney Water would have undertaken toxicology testing to assess whether that death was in any way related to a wastewater overflow. It is advised that Sydney Water was made aware of the death of two powerful owls by representatives from the local community. While this is undoubtedly a very sad event, there is no evidence to suggest that the deaths are in any way related to the sewer overflow event.

Dairy Creek is situated in a highly urbanised area with a large stormwater catchment that flows into the Lime Kiln Bay wetland and suburbs, including Mortdale, Oatley and Hurstville. Sydney Water has carried out water quality sampling within the wetlands. The most recent of these events was in February 2019 and the water quality sampling conducted at the time showed no indication of the presence of sewage. Sydney Water takes its responsibility to protect public health and the environment very seriously. Sydney Water partners with local councils to capture pollution from stormwater before it flows into waterways by using natural treatment systems like wetlands and rain gardens, combined with pollution traps. Over the next six years—from 2019-20 to 2024-25, subject to the outcomes of its pricing submission and business case approvals, Sydney Water is forecasting to invest \$33 million on waterway health projects and \$60 million on stormwater naturalisation. I table to the House further information and advice from the Minister responsible.

Document tabled.

LANDCOM ANTI-BULLING ALLEGATIONS

The Hon. ADAM SEARLE (12:13): My question is directed to the Leader of Government Business in the Legislative Council, and the Minister for the Public Service and Employee Relations. I note the Minister has joint responsibility with the Premier for the Industrial Relations Act, which also has provisions protecting employees from victimisation. Minister, given that an independent investigation was commissioned to investigate allegations of bullying against Ms Amanda Chadwick in her former role at Landcom, why is there no report from that investigation?

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) (12:13): I cannot give the honourable member those details right now. I will take the question on notice and provide an answer to him as soon as it is available.

YOUTH MENTAL HEALTH

The Hon. LOU AMATO (12:14): My question is addressed to the Minister for Mental Health, Regional Youth and Women. Will the Minister update the House on how headspace is working together with NSW Health services to support the mental health of young people in New South Wales?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:14): I thank the Hon. Lou Amato for his question on this very important topic. Youth mental health is an ever-increasing problem in our State, not just in the cities but also in our regional areas. As Minister for Mental Health, Regional Youth and Women I am focused on how we can better provide mental health support across the lifespan. I am listening closely to people about the model of mental health services they feel most comfortable with to help inform future government policy.

I am proud to be working together with the Federal Government to continuously improve the number and quality of mental health services available to young people in New South Wales. Over the past few weeks I have met with the Federal Minister for Health, the Hon. Greg Hunt, and I have visited two headspace facilities—one in Bondi and the other in Wollongong. Working alongside our State-funded Child and Adolescent Youth Mental Health Services, which do a terrific job, headspace plays an important role in the provision of mental health services to youth in New South Wales. Headspace is a one-stop shop for young people with access to GPs, psychologists, physiologists, drug and alcohol specialists and a sexual health clinic. Some locations even run Dogspace programs, which involve a social session with Delta Therapy Dogs—very important.

Headspace Wollongong is located next-door to the Child, Adolescent and Youth Mental Health Service, otherwise known as CAYMHS, in the Illawarra Shoalhaven Local Health District. CAYMHS provides care and support to young people aged from 0 to 18 with moderate to severe mental health issues, with a very strong focus

on family interventions. Headspace Wollongong provides mental health support to young people aged 12 to 25 with a focus on time-limited, early interventions for mild to moderate mental health issues. CAYMHS and headspace have a strong working relationship; young people can be reviewed and referred to either service as appropriate. It is fantastic to see services working so well together and coordinating to ensure that their consumers get the best care possible.

Both services meet fortnightly to discuss specific client needs and any service developments or changes. That is a really important part of best practice. I send a shout out to James Isles, manager at headspace Bondi Junction, and his incredible team. I thank Lynn Langhorn, service manager at headspace Wollongong, and her team for their time, for sharing their expertise and showing me around. I say to all the wonderful young people using headspace services: I know it is not easy, but I commend you on taking that step to access services. I commend you for having the courage to put your hand up to seek the help you need. I encourage you all—and I am sure I speak on behalf of all members—to keep working together with the professionals towards your recovery. The hard work is worth it; you are worth it!

EDUCATION LITERACY AND NUMERACY TEST RESULTS

The Hon. MARK LATHAM (12:17): My question is directed to the Minister for Education and Early Childhood Learning. I refer the Minister to the piece she wrote for the *Sydney Morning Herald* on 28 June in which she described NAPLAN as flawed, inaccurate, easily misread and open to misuse. If this was the Minister's view of NAPLAN, why did she earlier that week in June jointly announce with the Premier at Panania Public School new Premier's Priority targets for literacy and numeracy in New South Wales schools based on NAPLAN results? What is the status of the Premier's priority NAPLAN targets and are they still in place?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:18): I thank the honourable member for his question. I note the interest the member has in NAPLAN, in testing here in New South Wales and in our education system. From the outset I am very happy to stress and make clear the point that our Government is absolutely for better testing, not no testing at all. One of the things announced at Panania as part of the Premier's Priorities—I was there with her on the day and the wording of that priority was very specific—talks about NAPLAN or equivalent. It does that because this is a Premier's Priority that will be in place over the next four years. It is about making sure that we see better outcomes for our students, particularly in these key areas around literacy and numeracy. As members well know NAPLAN is the current diagnostic tool that we have and as part of our Federal funding agreements all States and Territories are bound to be part of the NAPLAN testing. But that does not mean we are not open to looking at improvements for better testing systems in New South Wales. That is why, as the Hon. Mark Latham rightly pointed out in his question, I wrote an article on that for *The Sydney Morning Herald*. I also raised the issue of a review of NAPLAN at a meeting not long ago of education Ministers from across the country.

In 2019 the NAPLAN test is over 10-years-old and I do not think it is a bad idea to suggest that a test that is over 10-years-old can be improved. A diagnostic test must be on demand, linked to the curriculum and with a focus on student growth and test informative writing. NAPLAN in its current form does not meet that criteria. Let me be very clear, it is essential to have a diagnostic tool that measures student growth over time and helps parents make informed decisions about their children's future and provides schools with data they need to identify subject areas in which students need assistance. New South Wales always has been, and will continue to be, a strong supporter of diagnostic testing, but that does not mean refusing to look at reforms to NAPLAN.

Certainly since I have been the education Minister—I know this is a view shared by my predecessor—I have had many stakeholders raise concerns with me around NAPLAN and the test itself, and offer suggestions of ways in which it could be improved. I must also say that reforming the diagnostic testing scheme is nothing new. When I was at school I remember we had the Basic Skills Test between 1982 and 1985. In 2008 we adopted NAPLAN. NAPLAN is over 10-years-old; now New South Wales is arguing that we should replace it with one that better aligns with contemporary best practice. Work is underway, which New South Wales is leading along with Victoria and Queensland, around a review of NAPLAN. I think that is important but the Premier's Priority remains important to make sure that we see improvements—whether the testing regime we use is NAPLAN or a better version of that test. [*Time expired.*]

The Hon. MARK LATHAM (12:21): I ask a supplementary question. I wish to draw additional information from the Minister's answer about the equivalent test to NAPLAN. Is the Minister now telling the House that when in the joint press release she said that the target was to improve the top two NAPLAN or equivalent bands for literacy and numeracy, that the reference to "equivalent" was actually about an equivalent test, not equivalent bands as printed in the press release? If the Premier's Priority targets are to remain, will that be under NAPLAN or the equivalent test that has now been mentioned?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:21): I refer to the answer I gave in my original response to the Hon. Mark Latham's question, which was that the wording of the Premier's Priority talks about NAPLAN or equivalent. Currently we have NAPLAN. The way that this would apply under the current scheme over the next couple of years is that we will be looking at NAPLAN—if that is what remains—but, as I said, should that change we want the Premier's Priority to be able to reflect that. That is why we use the wording "NAPLAN or equivalent" when referring to the testing regime itself. If the member has any further questions or wants more detail, I would be very happy to sit down and talk through that with him at a later stage.

The Hon. WALT SECORD (12:22): I ask a second supplementary question. Will the Minister elucidate her answer as to the Premier's Priority? Does that priority restore New South Wales to its place under Bob Carr when we were equal first in the world and often equal to Finland? This relates to the Premier's Priorities.

The Hon. Scott Farlow: Point of order: That is not an additional supplementary question. It was in fact a new question and should be ruled out of order.

The Hon. Walt Secord: To the point of order: I referred to the Premier's Priorities. I asked the Minister to expand on those priorities. Did the Premier's Priority in fact refer to our place internationally when at one time we were equal to the Australian Capital Territory [ACT] and Finland? The supplementary question is about the Premier's Priorities.

The Hon. Don Harwin: To the point of order: Clearly the second supplementary question is more of a debating point or an opportunity to make a hit rather than to ask a supplementary question.

The Hon. Walt Secord: Further to the point of order: If the members want to debate the question, that is fine, but I would like an expansion on the Premier's Priorities and our place internationally on literacy levels.

The PRESIDENT: The first part of the second supplementary question was in order. Unfortunately, the Hon. Walt Secord then went on to include additional information and a debating point. I rule the second supplementary question out of order.

OFFICE OF ENVIRONMENT AND HERITAGE

The Hon. MICK VEITCH (12:24): My question without notice is directed to the Minister for Mental Health, Regional Youth and Women, representing the Minister for Energy and Environment. Why did the then Office of Environment and Heritage conduct an independent investigation into land clearing on a property owned by Jam Land Pty Limited, yet accepted the landowner's self-assessment in relation to a complaint about Fairross Pty Ltd?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:24): I thank the Hon. Mick Veitch for his question. It relates to a Minister in another place and a different portfolio. I will take the question on notice and provide a response.

LOCAL GOVERNMENT INFRASTRUCTURE

The Hon. SHAYNE MALLARD (12:25): My question is addressed to the Minister for Finance and Small Business. How is the New South Wales Government supporting local councils to deliver important infrastructure projects for local communities and are there any alternatives?

The Hon. Greg Donnelly: Who wrote this question?

The Hon. Penny Sharpe: The Minister's office.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:26): Not bad.

The Hon. Greg Donnelly: It's pathetic. Just table the answer and sit down. We'll read it in *Hansard* tomorrow.

The Hon. DAMIEN TUDEHOPE: Table the answer? I thank the Hon. Shayne Mallard for his really good question. On any view, the New South Wales Government is improving the conditions of people in this State. There is a \$93 billion infrastructure program in the pipeline and more and upgraded schools, hospitals and roads and rail all underway for the people of New South Wales.

The PRESIDENT: Order! Members will cease interjecting.

The Hon. DAMIEN TUDEHOPE: In the work across the State this Government is doing, its primary focus is on ensuring that people are in work. The Liberal-Nationals Coalition is the party of workers. We want to ensure that people have a job and an income.

The Hon. John Graham: Say it like you mean it.

The Hon. DAMIEN TUDEHOPE: I mean it. Not only that, but this is a Government that is giving local councils the opportunity to do more to deliver the local infrastructure they know their communities need. The New South Wales Government has strong partnerships with local councils. We all agree that communities should not be deprived of the services and infrastructure required to make their communities better places in which to live, work and raise a family. That is why the Government has ensured more than half a billion dollars in low interest loans have been granted to local councils. Those loans are facilitated through the NSW Treasury Corporation. So far 43 councils have accessed those low interest loans to fund a wide range of new or upgraded infrastructure. Projects that have been funded include \$94 million for a reclaimed effluent management scheme for the Shoalhaven City Council, \$60 million for an aged care centre in Kiama and \$3.72 million to Dungog Shire Council to fund the bridge replacement program. It just keeps getting better!

The Hon. Penny Sharpe: How much are you making them pay in the emergency services levy?

The Hon. DAMIEN TUDEHOPE: Labor Opposition members must be so jealous. This initiative has so far helped to slash the local government sector's infrastructure backlog to \$3.6 billion in 2017-18. What was it in 2010? I bet the shadow Treasurer does not know. Then the infrastructure backlog was \$7.5 billion.

The Hon. Trevor Khan: Point of order: My point of order goes to the outrageous performance that just occurred. I ask that you call all Opposition members to order.

The Hon. Mick Veitch: To the point of order: The Hon. Trevor Khan's point of order relates to interjections from this side of the Chamber but I present to you that the noise was also coming from the other side. Both sides of the House were disorderly, if the member is fair.

The PRESIDENT: I agree with both members on their points of order. If I was going to call members to order I would have to call every member in the Chamber to order, including the Minister—not the crossbench; crossbench members have been wonderful. I remind Ministers that they must not encourage interjections.

DISABILITY SERVICES

Reverend the Hon. FRED NILE (12:31): I direct my question to the Hon. Bronnie Taylor, representing the Minister for Health and Medical Research, the Hon. Brad Hazzard. Is it true that The Benevolent Society and Australian Unity are scaling back their disability services? Why are disability service providers withdrawing from the market after the Government's privatisation policy came into effect? What does the Government plan to do to alleviate this problem, particularly in regional areas, where scaling back has had a massive impact on persons with disabilities?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:31): I thank the honourable member for his question and I acknowledge his deep commitment and concern for people in this space. As the question refers to a Minister in another portfolio in the other place I will seek detail and take it on notice.

NEW SOUTH WALES SCREEN SECTOR

The Hon. WALT SECORD (12:32): I direct my question to the arts Minister. Given his answer yesterday about attracting international and American film productions to New South Wales, how much financial assistance was provided to those four productions, and what steps is he taking to ensure that local Australian producers get comparable support?

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) (12:32): I thank the honourable member for his interest. I am happy to say that the most important element of our recent film funding initiatives is of course the post, digital and visual effects [PDV] rebate, which I spoke about yesterday. It is a 10 per cent rebate that is available not just to people who show interest from overseas, such as Disney's Marvel Studios, it is also available to New South Wales companies. In terms of the Made in NSW funding, that has been to attract Footloose film productions, which is choosing between New South Wales and other States. It is also for television production. In fact, a lot of the things you see on television are made with Made in NSW funding.

We have a policy of not talking about the amount of money that we give each production, because this is a competitive business, we are competing with other States and there are good and proper reasons why we keep this commercial in confidence. I am very happy for the honourable member to be given a briefing about the film industry by Create NSW but I would prefer to not talk about actual dollar amounts publicly, because I think that would put the State at a disadvantage in terms of other States.

The Hon. WALT SECORD (12:34): I ask a supplementary question. Will the Minister elucidate his answer? I understand why he will not provide individual figures. In fact, he said he would not provide a figure for individual productions. Will the Minister provide a global figure?

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) (12:34): In terms of a rebate, I cannot give him a global figure because it depends what the uptake is. We have an estimate of what it might cost, but I cannot give him a global figure because it is a tax rebate. That goes without question. In terms of the Made in NSW fund, the Government support was outlined in the budget. There is \$25 million allocated to the Made in NSW fund over the next four years.

AUSTRALIAN MUSEUM

The Hon. WES FANG (12:35): I address my question to the arts Minister. Can he update the House on major upgrades occurring at the Australian Museum, and how is the New South Wales Government ensuring the continuation of significant exhibitions over this period?

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) (12:35): I thank the Hon. Wes Fang for his question. I am absolutely delighted to have an opportunity to talk about the fantastic work that we are doing on cultural infrastructure in our State. That will really be a major benefit to the people of New South Wales. This is an exciting time for the Australian Museum—our nation's oldest—as we begin preparations for one of the biggest arts and history exhibitions to come to our shores. In February 2021 the Australian Museum will host King Tut and the Treasures of the Golden Pharaoh, which includes items that have never before left Egypt and are coming to Australia.

As we have been so privileged to host this exhibition, it is appropriate that we use this opportunity to undertake the biggest upgrade to the museum to showcase these fabulous works—what an ongoing legacy that will be. Over the next 12 months works will be undertaken to expand the central atrium space, create a brand-new temporary exhibition space and a new amenities space to cater for larger groups visiting the museum. I am happy to report to the House that over this construction period the Australian Museum will still deliver to the New South Wales public through collaboration with other cultural institutions across the State. While there will be a temporary closure of the museum's public spaces for these significant upgrades, the museum's collection and annual shows will still be available.

Museum in a Box and other regional school outreach programs will continue to bring the museum's collection directly to children. The Chapman collection of gems and minerals is currently touring to the Australian Fossil and Mineral Museum in Bathurst. The annual Australian Geographic Nature Photographer of the Year exhibition will continue, thanks to the collaboration between the Australian Museum and the Powerhouse Museum. Finally, I acknowledge the Pacific Collection—the largest in Australia and, arguably, in the world—of important cultural items from across Melanesia, Micronesia and Polynesia. This unique and world-class collection is now being housed in the bespoke-built storage area in Rydalmere. Its humidity and climate-controlled storage racking provides superior protection to these important artefacts, and leaves them available to view for researchers and Pacific community members.

This is a truly exciting time for our museum as it moves into a new phase of its illustrious life. I know I speak for the excitement of many people in the community, honourable members and, of course, the many visitors to Sydney who frequent the museum.

LAND CLEARING

The Hon. MARK PEARSON (12:38): I direct my question to the Hon. Bronnie Taylor, representing the agriculture Minister. Will the Minister confirm that up to 100 landholders who face prosecution for illegal land clearing have been granted amnesty for these serious environmental crimes, while at the same time the Government has introduced \$400,000 fines for farm trespass? How can the Government justify this double standard when we know that land clearing causes immense harm to animals and the environment, while no animal-activist trespasser has ever been found to cause any such harm?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:39): I thank the honourable member for his question. As it relates to the portfolio of a Minister in the other place, I will take the question on notice and seek advice.

NEWSTART ALLOWANCE

The Hon. DANIEL MOOKHEY (12:39): My question is directed to the Minister for Finance and Small Business in his own capacity and representing the Treasurer. Has the New South Wales Government made

a submission or any representation to its Federal counterpart to stimulate and increase small business demand by increasing Newstart funding following a request by a range of groups, including the Australian Council of Social Service, the Business Council of Australia, KPMG, the Australian Council of Trade Unions and National Seniors Australia?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:40): I thank the shadow Minister for his question. The short-form answer is that I do not know what Treasury has done in relation to making that submission. For my own part—since the member asked me whether we had made a submission—the answer, to the best of my knowledge, is no, not yet. But given that the member has raised the issue it is only appropriate that I inquire about the status of making a submission to that inquiry.

INDIGENOUS EARLY CHILDHOOD EDUCATION

The Hon. MATTHEW MASON-COX (12:41): My question without notice is addressed to the Minister for Education and Early Childhood Learning. Will the Minister update the House on what the Government is doing to support all students in early childhood learning services?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:41): I thank the honourable member for his question. As some members would be aware, Sunday was National Aboriginal and Torres Strait Islander Children's Day. Today I update the House on how our youngest Aboriginal and Torres Strait Islander children are being supported in early childhood services. One of the Government's priorities is to increase the proportion of Aboriginal students attaining year 12 while maintaining their cultural identity by 50 per cent by 2023. However, the Government knows that learning begins long before formal school enrolment and research demonstrates the positive impact of quality preschool programs in setting the framework for later educational achievement. It is clear that the provision of high-quality preschool education to Aboriginal children living in New South Wales will be crucial in increasing year 12 completion rates in the long term.

Since the implementation of Start Strong we have seen outstanding growth in the number of Aboriginal children enrolled for 600 hours in the year before school. Under Start Strong per-child funding rates have increased across all socioeconomic bands. Rates start at \$4,250 per child and increase to \$6,600 per child for services in the most disadvantaged areas. Children aged three or over from Aboriginal and low-income families receive the maximum funding rate of \$6,600 regardless of their socioeconomic band. By giving priority of access to Aboriginal children the proportion of Aboriginal children enrolled has increased by 12 per cent, from 81 per cent in 2016 to 93 per cent in 2018. That means that more Aboriginal children are arriving at school equipped with the social, cognitive and emotional skills they need to engage in learning. I am also delighted to provide the House with an update on our Aboriginal language program, Ninganah No More. The program launched in 2018 and is already showing great success. Ninganah means "be quiet" and the goal of the program is to help ensure Aboriginal languages are no longer unheard within our communities.

Aboriginal children who engage with language are found to have a stronger connection with their culture and, as a result, show increased self-esteem and participation rates, as well as higher literacy and numeracy outcomes. The program supports the delivery of Aboriginal language programs in early childhood services, providing an opportunity for Aboriginal language and culture to be developed and nurtured in the early stage of formal education across New South Wales. It is fantastic that so many services across the State have taken up the opportunity to engage in this program, particularly in the regions. The Uniting Preschool in Grafton, which I have had the pleasure of visiting a couple of times with Chris Gulaptis, the member for Clarence, is a really great service. Last year it participated in an eight-week exploration of Indigenous culture and language thanks to a grant from the Government. I am told that the Bundjalung cultural concert was the highlight of the program for all the children, who celebrated the culmination of an exciting few weeks of exploring and learning about their local Indigenous heritage through song and dance. [*Time expired.*]

NAPLAN TESTS

The Hon. MARK LATHAM (12:44): My question is directed to the Minister for Education and Early Childhood Learning. Last Thursday I visited three disadvantaged schools in south-west Sydney. At each school the senior teachers told me that they regard NAPLAN as a useful student assessment tool that supplements their internal assessment methods. Rigorous assessment, measurement and continuous improvement are a poor child's best allies in education. Why has the Minister been so critical of NAPLAN when these disadvantaged schools find it so useful?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:45): I thank the honourable member for his question. I refer to some of the remarks I made in an earlier answer to one of his questions. In New South Wales we absolutely support a strong testing regime. We are absolutely for better testing. That was the point that I made in the comments I made about NAPLAN and our call for a review. I agree

with some of member's comments at the beginning of his question about how it is important to have diagnostic testing. We need to make sure that schools have access to the best possible testing that is helpful and useful. I am not aware of the specifics of the schools that the member visited, but I absolutely take on board the comments he made about the feedback he received. But I would also respectfully say that I have received feedback from many school teachers and principals about ways in which NAPLAN can be improved.

The essence of what we are getting to in the review of NAPLAN is not to get rid of testing—that is not what we want to do. But we want a better test; we want a modern test and diagnostic tool that can be used in a way that all teachers and schools benefit from. There are flaws with NAPLAN. That is not a new idea in the education space. As I said earlier, my predecessor also came to that view during his time in the portfolio. That is why we want to do the work around a review into NAPLAN. I will work with other States on that matter and will take any recommendations back to the Education Council. There will be lots of opportunities for consultation and for people to give their views on the best way to have a testing regime such as NAPLAN across Australia. Ultimately we want better student outcomes. The reason for NAPLAN and those tests is to get a better indication of how our students are tracking and how they need to improve.

I know the member has spoken in the House many times about wanting to see improvements in literacy and numeracy in New South Wales. That is commitment we share; it is important. But we need to ensure that we have the best possible testing regime so that we can ensure we have the best information possible to identify the issues, to know where the schools are that need further assistance and to know which students need further assistance. To blindly back a test that is not without its criticisms does not achieve the best outcomes. We need a full look at this. That is why I took the approach with the Education Council that I did and that is why New South Wales is developing the terms of reference. We want to consult widely with the education sector and school communities, teachers and parents about the best way to achieve a world-class testing regime in New South Wales.

The Hon. MARK LATHAM (12:47): I ask a supplementary question. The Minister made reference to the feedback she has received from education stakeholders about NAPLAN. At the time of the announcement of the review she said that all stakeholders she had spoken to had been critical of NAPLAN. Does the Minister stand by that comment in the House today?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:48): I thank the member for his question. As I said in my earlier remarks, the vast majority of stakeholders that I have spoken to have raised concerns about NAPLAN. Those concerns do differ. Some have concerns about the test, some have concerns about the ability for the test to be coached and some have concerns that the test is not linked to the curriculum in the way that it could be. Some major stakeholders have differing views and I respect that.

However, there is certainty around the fact that everyone I have met with has raised issues or concerns around NAPLAN in some way or another. Also, many of the schools I have visited and many of the teachers I have spoken to have raised those issues with me. I know that it is not a universal view; I accept that I have not spoken to every single education stakeholder in New South Wales. But there has been a strong position from the vast majority of stakeholders that I have met with that there is an opportunity to review NAPLAN, which is why we are pushing for it.

The Hon. COURTNEY HOUSSOS (12:49): I ask a second supplementary question of the Minister for Education and Early Childhood Learning. The Minister outlined in her answer that in her review of NAPLAN she wants it to be the best possible test. Will the Minister elucidate whether that means the test would only be available online?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:50): I thank the member for her supplementary question. It is interesting she raises the issue of testing online, because that is something that NAPLAN has moved towards. As I have said before, this year it did not go well. There were severe issues for many of our schools across New South Wales and that was spoken about when education Ministers met not long ago in relation to online testing. A unanimous decision was made to delay that rollout for at least 12 months. The point of reviewing NAPLAN is to look at ways that the testing can be undertaken. I do think there are merits to an online system, but the online system has to work. It has to work well and be thoroughly tested to ensure there are no errors. The reason for a review conducted by educational experts with full consultation is to look at the options. Moving to online testing has its merits but there are also risks, as we saw this year, to going to fully online platforms. These are the sorts of issues I hope will be ventilated through the review, as I said, led by New South Wales in conjunction with Victoria and Queensland.

MINISTERIAL STAFF

The Hon. PETER PRIMROSE (12:51): My question is directed to the Minister for Finance and Small Business. On what date did the Premier's chief of staff contact the Minister's office to raise concerns about the involvement of his staffer Christian Ellis in a branch stacking operation against senior Government figures?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:52): I thank the honourable member for the question. The short answer is she did not.

RURAL AND REGIONAL HEALTH

The Hon. NIALL BLAIR (12:52): Mr President—

The PRESIDENT: The member did not even get to the lectern before the interjections started from both sides of the Chamber, as well as from Ministers. The honourable member has the call.

The Hon. NIALL BLAIR: My question is addressed to the Minister for Mental Health, Regional Youth and Women. What is the extent of the Government's investment in health infrastructure in regional and rural New South Wales?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:53): I thank the Hon. Niall Blair and his great suit for a very good question. We have much to be proud of when it comes to investing in the regional and rural areas of this great State. Just in 2019-20 our health capital infrastructure program is worth \$2.9 billion. Of that, more than \$900 million is being spent on health capital works in regional and rural communities. This is a massive boost of \$400 million on the Government's spending in 2018-19. New works are starting at John Hunter Hospital in Newcastle as big steps are being taken towards creating a health and innovation precinct eventually costing \$780 million. Tumut Hospital in the Snowy Mountains will be rebuilt at an estimated cost of \$50 million. Then there is Griffith, there is Goulburn—

The Hon. Penny Sharpe: Point of order: I am having difficulty hearing the Minister because of the constant interjections of "Hear, hear" from the Government Deputy Whip. Could you please call him to order?

The PRESIDENT: Order! I thank the Deputy Leader of the Opposition for the very valid point of order. I have been concerned for some time that the continual interjections that come from both sides of the Chamber, including interjections of support—what one could almost call cheerleading-type interjections—can actually be disruptive. All honourable members are well aware that when a member is speaking the member is addressing the Chair and directing the comments through the Chair. I ask all honourable members to try to refrain from loud supporting interjection or opposing interjection because it makes it difficult for the Chair, it makes it difficult for Hansard and makes it difficult for other members. Ministers do not need cheer squads. The Minister has the call.

The Hon. BRONNIE TAYLOR: As I was saying, then there is Griffith, Goulburn, Bulli, Albury, Coffs Harbour, Cooma, Dubbo, Gosford, Inverell, Lismore, Manning, Wagga Wagga and Wyong. It is quite a list, but I have not finished. Let us not forget Macksville, Maitland, Mudgee and Tweed.

The Hon. Walt Secord: Point of order: There are rules in this Chamber about the reading of lists into *Hansard*. I remind the honourable member that if she is going to read lists, she could at least expand it to descriptions of individual projects rather than simply flouting the standing orders of this Chamber and reading lists.

The PRESIDENT: I will refer to formal rulings of previous presidents. President Harwin in 2012 in relation to reading from newspapers said:

Members are permitted to read from newspapers during their contribution to the House, however members are not permitted to use newspapers as props.

Similarly, members are permitted to read extracts from documents in front of them. I also refer to the ruling of then President Johnson in 1988:

Nothing in the standing orders says members must quote everything in the document from which they are quoting.

The reality is that the member is permitted to quote extracts from documents. Members have been doing so for quite a considerable period of time. There is no point of order. The Minister has the call.

The Hon. BRONNIE TAYLOR: The Government is still pouring money into building new ambulance stations, facilities and creating new hospital carparks. Fourteen ambulance stations have been completed at Wagga Wagga, Cooleman, Ardlethan, Harden, Molong, Griffith, Kiama, Berry, St Georges Basin, Toukley, Wauchope.

The Hon. Trevor Khan: Point of order: My point of order goes to the interjections of the Hon. Walt Secord. They clearly are not in response to the matter that is currently before the House and in my submission constitute sledging, apart from being an interjection.

The PRESIDENT: I remind members of a previous ruling made by me in 2018. There is a stark difference between occasional interjections and sledging, which seeks to upset the concentration of a speaker by way of a continual barrage of insults. Sledging is disorderly, and the Hon. Walt Secord is well aware that is exactly what he was doing. I uphold the point of order.

The Hon. BRONNIE TAYLOR: I think I was at Hamlyn Terrace, Bathurst and Pottsville. Construction is underway at Rutherford, Yass, Birmingham Gardens, Grenfell, Goulburn, Cowra and Bungendore. Planning has begun for Cootamundra and Sawtell. We invested \$17.5 million to expand the mental health facilities at the Port Macquarie Base Hospital. The new Port Macquarie mental health unit was opened in February this year. It will double the number of mental health beds and enhance the care provided to all patients, including improving the capacity to provide care to elderly people and younger persons. The new mental health unit complements the \$104 million major redevelopment of Port Macquarie Base Hospital completed in December 2014. Careful management of the budget and the economy has allowed us to make record investments in health in regional and rural areas. We will not rest while there is opportunity to improve the lives of people right across this great State. They deserve world-class health facilities— [*Time expired.*]

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

MINISTERIAL RESPONSIBILITIES

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) (13:02): Further to the questions asked of me by the Leader of the Opposition and the Deputy Leader of the Opposition in relation to various matters, it is important that members understand that the matters are not within my portfolio responsibility. Cases are the responsibility of the relevant departmental secretary to handle, and therefore questions on individual cases should be referred to the relevant Minister.

FILM INDUSTRY

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) (13:02): In response to the Hon. Walt Secord's question about film, I provide some supplementary information which I should have included in my earlier answer. I advised the House about the \$25 million allocated to the Made in NSW fund over the next four years. I should emphasise that that is not the totality of funding available. Combined with existing funding, it provides a total of \$55 million over the next four years to attract international film production and local television projects to Sydney.

In fact, 23 local television drama series have been supported by the Made in NSW fund to date, as well as international productions. The local television productions include *The Commons*; *Fighting Season*; *Friday on My Mind*; series 3 of *Janet King*; series 4 of *Love Child*; *Mr Inbetween*; *Mystery Road*, which was fantastic; series 2 of *The Secret Daughter*; series 2 and 3 of *Doctor Doctor*, which was filmed in Mudgee; *Lambs of God*; series 5 of *Rake*; *Les Norton*; and *Black State*. Together those productions have brought 20,000 jobs to New South Wales over the past three years. On another occasion, I might tell the member all about how that is helping regional New South Wales.

ABORIGINAL LANGUAGES ACT

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) (13:04): In response to the question asked by the Leader of the Opposition on Aboriginal languages, the Parliament passed the Government's Aboriginal Languages Act 2017 and royal assent was given on 24 October 2017. A very clear commitment to Aboriginal communities was further consultation on the composition of the trust established by the Act and content of the first strategic plan prior to implementation. The advisory committee has worked extensively with senior Aboriginal language leaders and other stakeholder organisations to meet that commitment.

It was through that work that the proposal for a NSW Aboriginal Languages Gathering arose, which was seen as hugely successful and invaluable to informing the priorities for the strategic plan. It was a great pleasure to take part in that gathering myself. While we are working to have the Act formally commence, we are ensuring Aboriginal communities are thoroughly consulted ahead of finalising the steps. Having a collaborative and consultative approach on matters like this is extremely important and that is why we have not proclaimed the Act

yet. I look forward to updating the House as we progress with the advisory committee and the broader community. The advisory committee is, of course, well aware of all the work that we are doing.

POWERHOUSE MUSEUM

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) (13:05): Yesterday the Hon. Walt Secord asked me a question about Peter Denham, and I advised the House that Peter Denham had done an extraordinary role in his job as director of curatorial, collections and exhibitions. I have certainly seen that firsthand in an outstanding exhibition that he was involved in curating at Penrith Regional Gallery. Unlike the Hon. Walt Secord, I will not canvass or misuse people's private lives or circumstances for political gain. Peter has since accepted a senior executive role at the Queensland Museum Network as director of collections and research.

Julie Banks will be the acting director of curatorial, collections and exhibitions at the Powerhouse Museum. Julie is currently head of collections at the Powerhouse and has been leading the museum's collection relocation logistics project. She has 20 years' experience in the museum sector, including at the National Gallery of Victoria, the National Portrait Gallery, the Art Gallery of NSW and most recently the Powerhouse Museum. The museum is in very safe hands with Julie, chief executive Lisa Havilah and the whole team. I assure members that our plans for a new state-of-the-art museum in Parramatta are on track and are testament to the Government's commitment to accelerating investment in the arts and cultural sector outside the Sydney CBD.

RUGBY AUSTRALIA AND ISRAEL FOLAU

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) (13:07): I am advised that now is the appropriate time for me to give a supplementary response—in addition to the reply I gave yesterday—to a matter raised in yesterday's take-note debate. I will briefly do so in relation to a matter raised by the Hon. Mark Latham about Israel Folau. I am advised that no Minister made contact with Rugby Australia regarding that matter and that no member of their staff made contact with Rugby Australia requesting any actions with regard to Mr Folau. That settles the matter completely.

I will add some other things about funding. In yesterday's take-note debate I gave a preliminary response to questions regarding the Government's sponsorship of Rugby Australia. I believe I said that I did not think we gave any funding; that was the advice I had at the time. I can confirm that the Government has no ongoing funding or sponsorship commitments to Rugby Australia. That is particularly relevant because of the remarks that Cameron Clyne made and the way he phrased his remarks about government, as the Hon. Mark Latham would know. However, I point out—as I am sure many in the House know—that there is a one-off government sponsorship for \$10 million for a centre of excellence that is being constructed at Moore Park.

Supplementary Questions for Written Answers

ABORIGINAL LANGUAGES ACT

The Hon. ADAM SEARLE (13:09): I have a supplementary question for written answer to the Leader of the Government and Aboriginal affairs Minister relating to Aboriginal languages. Would the Minister elucidate the answers he has given this day and inform the House of an indicative date or timeframe the Government has in mind for the proclamation of the Aboriginal Languages Act 2017, noting it has been two years, notwithstanding all the other work the Government has indicated?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. ADAM SEARLE: I move:

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

MODERN SLAVERY ACT

The Hon. ADAM SEARLE (13:10): I wish to touch base on two issues that have been answered today. One is the written answer to the further supplementary question I asked yesterday relating to the Modern Slavery Act. The answer was very short. The Minister said that it took him three weeks to make the reference to the Standing Committee on Social Issues because he needed to finalise the submission. If honourable members cast their minds back to 19 June they will remember the fairly comprehensive answer the Minister gave about the state of preparation he had already reached in relation to the reference. He mentioned that a draft bill was in existence. He did not state that the submission had been finalised, but it staggers the imagination that it took three full weeks

for the Minister and the Government to top and tail the submission, given that they had a full draft bill already in their hands.

The Standing Committee on Social Issues had to cancel one of its scheduled meetings, perhaps in anticipation that it would be receiving a reference from the Minister. It is concerning that it took the Minister three weeks to make the reference—and this is no reflection on any other member—and that it took a further three weeks for the committee to be able to assemble. So we are only just now beginning the inquiry that the Minister indicated would happen six weeks ago. Not unreasonably, members on this side of the Chamber are getting a bit suspicious about the true motivations of the Government. I turn now to the third and final paragraph of the Minister's written answer. He said:

The Government will wait until the committee provides its report before determining how best to proceed with the Modern Slavery Act 2018.

Paragraph (g) of the reference to the committee canvasses the possibility that there may be no New South Wales modern slavery legislation. One of the things the Minister has asked the committee to look at is whether this legislation should be scrapped.

The Hon. Don Harwin: Point of order: I am reluctant to intervene, but the Hon. Adam Searle is now not considering the supplementary written answer that was given. He is going beyond the scope of that answer.

The Hon. ADAM SEARLE: To the point of order: The final part of my supplementary question for written answer to the Minister was:

Could the Minister elucidate his answer ... and inform the House if the true aim of the Government is to ensure that the Modern Slavery Act never reaches the statute books?

Earlier I quoted the final paragraph in the written answer. The Government has foxed and weaved on giving a direct answer. I am drawing a conclusion based on the Minister's own words, and I am exploring that in my contribution.

The PRESIDENT: Has the member finished his contribution or is he waiting on a ruling?

The Hon. ADAM SEARLE: I am waiting on the ruling.

The PRESIDENT: As the member's time has expired, I propose to look at his contribution and the point of order. I will make a ruling tomorrow. Both members have made valid points in their contributions to the point of order. I need a little time to consider them.

MODERN SLAVERY ACT

NAPLAN

The Hon. WALT SECORD (13:13): As the shadow Treasurer and the shadow Special Minister of State, I wish to make a contribution to the take-note debate in relation to two policy areas canvassed today—literacy levels and the Modern Slavery Act. The education Minister noted in her answer that the NAPLAN and other literacy and numeracy testing had been around for about 10 years. In the era when I worked for Premier Bob Carr, literacy and numeracy levels in the Australian Capital Territory and New South Wales were equal to Finland on OECD rankings. Sadly, the most recent OECD ranking shows that New South Wales and Australia are now thirteenth in the developing world. The Minister's answers give me no confidence that she is allocating the funding or taking the matter of literacy in New South Wales seriously.

I move now to the question on modern slavery. I note that yesterday my colleagues the Hon. Daniel Mookhey and the Hon. Greg Donnelly canvassed questions about the Modern Slavery Act three times. In response to a written answer today from the Minister, the Opposition has reached the conclusion that this Government is not committed to the Modern Slavery Act and that it is looking for ways to walk away from this issue. This is an issue that I have followed closely for some time, including attending a session hosted by the Hon. Adam Searle at Parliament House with the former United Kingdom antislavery commissioner Kevin Hyland—

The Hon. Trevor Khan: Point of order: It is my submission that the member is straying well and truly from what is anticipated in the take-note debate. I ask that he be drawn back to the question and answer rather than essentially giving what seems to be an adjournment speech.

The PRESIDENT: My initial ruling is that the member is going well and truly beyond the question and answer, but I will look at the point of order. I ask the member to confine his remarks to the answer that was given by the Minister.

The Hon. WALT SECORD: With the indulgence of the House, I will complete the sentence and say that I attended a session with the former—

The PRESIDENT: There is no need for the member to complete the sentence. The member is talking about what he has done, who he has met with and where he has gone. That was not part of the Minister's answer.

The Hon. WALT SECORD: The three questions yesterday, the Minister's answer and the written answer today give the Opposition the view that it is clear that the Government has no intention of supporting the Act. The answer today shows that the Minister is really opening the question of whether there should be a Modern Slavery Act in New South Wales. Earlier today the Hon. Shayne Mallard advised members of the terms of reference to the Standing Committee on Social Issues. In the context of the written answer today, the Government is clearly looking for a backdoor path to kill this bill.

NAPLAN

The Hon. JOHN GRAHAM (13:16): I wish to make some reflections about the education Minister's answers about the Premier's priorities regarding NAPLAN. Obviously, we used to have State Plan priorities in this area and then we moved to the Premier's Priorities. As a result of that transition, there are now fewer targets—

The Hon. Trevor Khan: Point of order: My point of order goes to the same issue that I have raised before. As I understand it, the contributions of members must be directed towards the question and answer. The member is going beyond the questions and answers and travelling into some other area. His contribution is in the nature of an adjournment debate or the like. It is not what this process was designed to do.

The PRESIDENT: I uphold the point of order. Members are required to comment on the answer, linking it to the question. What appears to be happening is that members are going into different areas. They are indicating the types of answers they would have liked to hear and why they would have liked to hear a different answer. They are going into areas that are in no way connected to the question or, more importantly, the answer that was given by the Minister.

The Hon. JOHN GRAHAM: I will return to the set of explanations given about the concerns that have been raised about NAPLAN. The Minister outlined three explanations. She did not outline the number one concern of parents in relation to NAPLAN—the hopeless administration of this test. It has had kids in tears and some schools reporting 60 per cent interruptions to the online test. The administration of NAPLAN has been the greatest blow to the faith of parents or educators in this system. We saw kids with no login and disconnections in the course of that. Now, different States have approached this—

The Hon. Trevor Khan: Point of order: This material does not go to the question or the answer given by the Minister. I ask that the member either direct it to that or resume his seat.

The PRESIDENT: I uphold the point of order. I indicate that I will look at this matter very carefully tonight and come back with a ruling.

The Hon. JOHN GRAHAM: I will defer.

TAKE NOTE OF ANSWERS TO QUESTIONS

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) (13:20): There has been some comment on my written answer to the Hon. Adam Searle's supplementary question for written answer. The Opposition cannot have it both ways. My brief as an incoming Minister informed me that this Act has to be amended. I could just as easily have walked into this House back in May or June and slammed an amendment bill on the table. However, I did not do that. I took my lead from the discussions amongst members in this House about how they wanted this House to work. So when the Modern Slavery Act—a matter that clearly attracted considerable interest from members around the Chamber—was going to necessarily be subject to change I wanted to give members the best possible opportunity to have their view.

I have given the Standing Committee on Social Issues the widest possible terms of reference so that it can look at the whole issue. That is why it has been done. With respect to honourable members who have spoken about this and the timing issues, there is an old saying about conspiracy and stuff-up. Yes, there was a delay; it was not as ready as I thought. However, it was sent as quickly as all of the required processes for drafting a submission to Parliament were concluded. That was done.

The Hon. Adam Searle: So you misspoke on the nineteenth?

The Hon. DON HARWIN: Yes, I was under the impression that it was ready to go on the nineteenth but it was not. I am happy to concede that. But please, let's not throw the baby out of the bathwater. I am giving honourable members a chance to contribute. I am taking a collaborative approach to the Modern Slavery Act. Frankly, if it is being fair-minded I think the Opposition ought to give me a bit of credit for that.

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

Motion agreed to.

Written Answers to Supplementary Questions

MODERN SLAVERY ACT

In reply to **the Hon. ADAM SEARLE** (6 August 2019).

The Hon. DON HARWIN (Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, and Vice-President of the Executive Council)—The Minister provided the following response:

I am advised:

A finalised Government submission along with a draft Modern Slavery Amendment Bill 2019 was provided to the committee on the 10 July to enable the committee to be in possession of all relevant information at the same time.

This reference was made as soon as the submission had been finalised.

The Government will wait until the committee provides its report before determining how best to proceed with the Modern Slavery Act 2018.

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: CONDUCT OF BUSINESS

The Hon. DON HARWIN: I move:

That following the conclusion of debate on the matter of public importance, debate on committee reports and Government responses take precedence of all other business until 4.30 p.m. this day.

Motion agreed to.

The PRESIDENT: I will now leave the chair. The House will resume at 3.00 p.m. **Debate called on and adjourned until the next sitting day.**

Matter of Public Importance

CROWN RESORTS

Committees

PORTFOLIO COMMITTEE NO. 5 - INDUSTRY AND TRANSPORT

Report: Sustainability of the Dairy Industry in New South Wales

Debate called on and adjourned.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. NATASHA MACLAREN-JONES: I move:

That committee reports and Government responses orders of the day Nos 2 to 13 be postponed until a later hour of the sitting.

Motion agreed to.

Committees

PORTFOLIO COMMITTEE NO. 4 - LEGAL AFFAIRS

Report: Museums and Galleries in New South Wales

Debate resumed from 8 May 2019.

The Hon. ROBERT BORSAK (15:06): One of the great mysteries of the last Parliament is understanding the rationale for moving the Powerhouse Museum from Ultimo to the flood-prone banks of the Parramatta River. We are no closer to solving this mystery after more than two years of painstaking inquiries. It has been an exercise in posturing by this Government, which has been testing how much it can get away with without going through the appropriate channels such as consulting with stakeholders or the general public and taking into account its own *NSW Government Guide to Cost-Benefit Analysis*, not to mention due process. One day the Government could not provide us with a business case, then the next day it miraculously appeared, resembling a document that had been hastily put together and belonged in the bin. I have said in this House before that I believe this inquiry will take many more twists and turns.

The secrecy with which this entire project has been conducted and the continuing vague responses and justifications we receive from this Government only spurs me on. Yesterday it responded to our recommendations, and it is a weak response. Its response to our findings that the final business case did not comply with the *NSW Guide to Cost-Benefit Analysis* claims that Infrastructure NSW undertook six independent reviews conducted by more than 30 independent reviewers. I guess the Government did not get the answer it wanted in the first five reviews and got lucky with the thirtieth independent reviewer. All it needed to do was reach out to the arts community, the general public and stakeholders to find out that the move is not required and is a huge waste of money. The Government said the business case demonstrates things such as expertise, time, detail, rigor and due diligence in considering the move. That is drawing a long bow, even for this dodgy Government.

I am not satisfied with the response, nor am I satisfied with any of the responses to our recommendations. I was hoping to say that the Government recognises the fact that it has made a mistake and that the process of relocating this world-class precinct to a flood-prone riverbank 20 kilometres down the road at a cost of \$2 billion is an inappropriate waste of taxpayer money, which could be better spent on hospitals and schools. Unfortunately, I cannot. I am bitterly disappointed, but not surprised, by the arrogance of this Government. I will canvass my views and the Government's responses with Opposition members and crossbench members. I am confident this is not the last that we will hear on this issue. No member is Sherlock Holmes, but it is elementary that we solve the museum mystery.

The Hon. SCOTT FARLOW (15:09): I thank Committee Chair the Hon. Robert Borsak for the wonderful travels we had during the Portfolio Committee No. 4 - Legal Affairs inquiry into museums and galleries, which has been a never-ending inquiry. Members of the House were substituted in at certain times and I very much enjoyed the experience. The committee relentlessly inquired into and reported on the performance or effectiveness of government agencies responsible for the organisation, structure and funding of museums and galleries in New South Wales. It seems like I joined the committee a lifetime ago, but I was optimistic that we would receive very positive contributions about museums and galleries, their functions and how they should operate in New South Wales in line with best practice. Unfortunately, the inquiry did not turn out that way and instead there was a relentless inspection of the Powerhouse Museum move.

I acknowledge and thank the members of the committee: the Hon. Robert Borsak, who was our committee chair and tour guide; Mr David Shoebidge, who was the deputy chair; the Hon. Trevor Khan; the Hon. Shayne Mallard; the Hon. Shaoquett Moselmane; the Hon. Walt Secord; and the Hon. Ben Franklin. I acknowledge the dedicated, diligent and hardworking secretariat staff, particularly Emma Rogerson and Tina Higgins, who assisted the committee greatly with this inquiry. I also acknowledge and thank the individuals, groups and organisations for submitting 179 important contributions to the inquiry.

This 2½ year inquiry culminated in the production of a final report that ultimately resulted in a single finding that the final business case for the New Museum in Western Sydney Project did not comply with Treasury's *NSW Government Guide to Cost-Benefit Analysis*. The finding is disputed and not supported by the Government. Since February 2016 Infrastructure NSW has undertaken six independent reviews of the New Museum in Western Sydney Project, conducted by more than 30 independent reviewers, including specialists in design, planning and economics. The final business case demonstrated the Government's expertise, time, detail, rigor and due diligence underpinning the planning of the Powerhouse Museum move. The business case was contributed to by highly qualified consultants in cultural infrastructure, museum logistics, urban planning, construction and operations through peer review processes and governance panels.

The document also included an economic appraisal of the project, which was produced in accordance with the Treasury's *NSW Government Guide to Cost-Benefit Analysis*. The document shows the finding that the committee reported was completely without merit. This highlights the fact that the Labor- and crossbench-heavy committee was more focused on detailing its opinions on the Powerhouse Museum move rather than determining what is best for Sydney, particularly western Sydney. Parramatta, which is the second city of Sydney, deserves a cultural institution at its heart. On 24 April 2018 a Nigel Gladstone article published by the *Sydney Morning Herald* entitled "Sydney population grows by over 100,000 in a year for the first time" highlighted that Parramatta is not only lacking adequate institutions but it is also growing at a faster rate than other part of the city. More is happening in Parramatta and it is time that it finally gets a world-class institution.

I note that Opposition members supported the museum move when we commenced the inquiry. At the time it was Labor Party policy but in the lead-up to the election it withdrew its support. The results of that decision played out in the Parramatta electorate. The *Sydney Morning Herald* article stated:

The area around Parramatta had the largest shifts in NSW for three measurements of regional population growth - the most new overseas migrants (2840), the highest natural increase (565 more births than deaths) and the most internal migration of people moving out (1434) between June 2016 and June 2017.

The report before Parliament is nothing more than a smear on the Government. Those opposite are trying to force the Government and the Premier to back down on a proposal that will bring arts, culture, science and technology to the west—where they belong. The move is being shepherded by the wonderful arts Minister to ensure Parramatta realises its vision as a cultural centre in Sydney. The committee report makes clear that the focus was on disproving and reevaluating the need, want and cost of a cultural and arts institution in Parramatta at the cost of residents and families in western Sydney. Government members on the committee rejected all of the recommendations made in their subsequent report. The recommendations fail to provide a pathway to greater cultural amenity in western Sydney and fail to highlight the need for action and change now.

On several occasions the committee heard that the proposal did not come out of nowhere. Liz-Anne McGregor conducted the analysis of the need for a cultural institution in western Sydney and the suitability of the Powerhouse Museum to move, rather than creating a new cultural institution or transferring any other cultural institution. That decision was made for a number of reasons, including the demographic the museum attracted, the number of visitors to the museum who hail from western Sydney and the suitability of the riverbank site. The time for western Sydney to have access to world-class facilities is now; not in 10 years. It should not be just a satellite site, as some members have suggested, but a fully fledged, fully funded and fully committed museum that is a destination for visitors to this great city and State.

Mr DAVID SHOEBRIDGE (15:15): I speak to the excellent report produced by the then Portfolio Committee No. 4 - Legal Affairs—

The Hon. Bronnie Taylor: How lovely and positive.

Mr DAVID SHOEBRIDGE: —into the disastrous saga that is the Government's effort to sabotage the Powerhouse Museum.

The Hon. Bronnie Taylor: You were going so well.

Mr DAVID SHOEBRIDGE: I appreciate the strong endorsement of the Minister. The committee's key finding was that the final business case for the Powerhouse Museum in Western Sydney Project clearly did not comply with Treasury's *NSW Government Guide to Cost-Benefit Analysis*. The case was so obviously tailored to produce a political response. It was not a fair and independent assessment of the actual business fundamentals of moving the Powerhouse, let alone the cultural, political and social fundamentals. If we want to get a sense of how workshopped the Government's final proposal is, we can go to the Government's half-baked response to the committee's report. The finding was supported by a close review of the final business case. From memory it was business case No. 84. Over time the Government had workshopped the business case to try to massage a cost-benefit return of slightly greater than nought. In response to the committee's findings the Government stated:

Since February 2016 Infrastructure NSW has undertaken six independent reviews of the New Museum in Western Sydney project, conducted by more than 30 independent reviewers, including specialists in design, planning and economics.

What kind of Government gets it wrong so often that it had to have six reviews of its appallingly chaotic proposal to move the Powerhouse Museum? It is hard to put this on record without laughing, knowing the truly amateur way in which it was produced, but the document goes on to state:

The Final Business Case for the project demonstrates the expertise, time, detail, rigour and due diligence underpinning the planning of the project. Highly qualified consultants in cultural infrastructure, museum logistics, urban planning, construction and operations contributed via peer review processes and governance panels. The document includes an economic appraisal for the project, produced in accordance with NSW Treasury's *Government Guide to Cost-Benefit Analysis*.

It would be funny if this was not about a serious proposal to destroy the Powerhouse Museum. One of the key recommendations in Treasury's *NSW Government Guide to Cost-Benefit Analysis* is that the agency proposing the expenditure of public money—and we are talking about combined expenditure of more than \$1 billion—has to work out what the costs and benefits of the status quo are. What if we did nothing? What if we left the current situation in place? How would that play out? One business case scenario that was never tested at any time by the Government is keeping the Powerhouse Museum where it is and investing in it a fraction of the money it will cost to move the Powerhouse Museum to Parramatta.

The Hon. Walt Secord: What about the property developers?

Mr DAVID SHOEBRIDGE: We will get to that. The Government already has detailed reports from consultants stating that the Powerhouse Museum at Ultimo is well located and is part of an essential cultural ribbon that runs through that part of Sydney. The Powerhouse Museum's public access through the renovated goods line and the increased pedestrian access to Darling Harbour has increased and it is in an even better situation than it was at the time those reports identified it as being an important part of the cultural ribbon in Sydney. The business case presented by the Government never looked at the status quo. This Government is planning to throw over \$1 billion of public money into relocating the Powerhouse Museum but it never looked at leaving it where it

was. That is criminal. So much good could be done if we spent \$1 billion in this State but the Government is spending \$1 billion to destroy one of the finest cultural institutions in Australia. It is just shameful.

The core recommendation of the committee was that the Government not proceed with the relocation of the Powerhouse Museum from Ultimo to Parramatta. That recommendation was supported by pretty much every witness with an acknowledged history in running museums, designing museums and running cultural institutions in this State who gave evidence to the committee. It was hard to find the people who are currently employed by the Powerhouse Museum. We were chasing some with subpoenas and we could not track them down. The acknowledged experts in museums in this State came together in a chorus to state they were against the Government's proposal to move the Powerhouse Museum. The Government stuck its head in the sand and ignored them.

We know what the ultimate conclusion is about. It is not about doing the right thing by the Powerhouse Museum. It is not about doing the right thing by museums. It is about the Government getting two property deals for one. It gets to move the Powerhouse Museum from Ultimo and it can put that land out to market so that a 70- or 80-storey residential or commercial tower can be built on the publicly owned site. It was never about the Powerhouse Museum. It was about doing a property deal with its usual mates. What is the deal at Parramatta? The Powerhouse Museum's board said it would only support the Powerhouse Museum move if the museum was not attached to or compromised by a large commercial or residential development. It wanted its own museum.

What is the Government's proposal for the Powerhouse Museum at Parramatta? It is not a museum. Maybe the Government has contracted with Lendlease; who can tell. But if the new Powerhouse Museum ever gets built, the main thing we will see on the site is not a museum. The first thing we will see is a 70-storey residential block the size of the Meriton development next door. I could not make this up. New South Wales governments are notorious for being in the pocket of the development industry. The Government's response to the Powerhouse Museum is to damage it at a cost of over \$1 billion of public money. The real return for the people of New South Wales is two big property developments delivered by the Berejiklian Government. It is just like New South Wales Inc. over and over. That is what it is. It is not about moving the museum, it is about two major property deals.

Why has the closure of the Powerhouse Museum been delayed? Instead of having 30 independent reviewers maybe there will be five more independent reviewers—35 so-called independent reviewers. Why are we not seeing the plans and the signed contracts? The Government probably cannot find a civil contractor who is willing to deal with it, given most of them have stepped away from dealing with the Government. The reason is because the economic fundamentals are not stacking up. This project was always about two property deals. With property prices softening, it is much harder for the Government to square the circle and find the money to not move the Powerhouse Museum. It wants to create two new icons, courtesy of the Berejiklian Government, under the guise of moving the Powerhouse Museum.

The Hon. WALT SECORD (15:24): As the shadow Treasurer and shadow Minister for the Arts, I make a contribution on the Portfolio Committee No. 4 - Legal Affairs inquiry into museums and galleries in New South Wales. It has been a 2½ year inquiry. And \$2 billion later we are a long way from when Premier Mike Baird said it would cost \$10 million to move the Powerhouse Museum. Unfortunately, the Berejiklian Government has ignored the recommendations of this committee, especially those relating to rural and regional arts. I take this opportunity to acknowledge the committee chair, the Hon. Robert Borsak, from the Shooters, Fishers and Farmers Party and deputy chair, Mr David Shoebridge, from The Greens. I acknowledge the almost 120 submissions from community groups and the contributions of Mr Lindsay Sharpe, Ms Kylie Winkworth, Ms Jennifer Saunders, Ms Judith White, former government architect Lionel Glendenning, and the dozens and dozens of hardworking members of the community who did everything they could to get the Government to stop this property deal.

Another disappointment that came out of this inquiry was the inability of the Government to locate Dola Merrillees, who was a key witness to this inquiry. She worked at the University of New South Wales. Chair of the Board of Trustees Professor Barney Glover was unable to locate her and she actually worked in his office. It was disappointing to learn that the Government has refused to listen to the community. A blowout in arts infrastructure and cultural projects is taking place under this Minister's management. The arts have lurched from crisis to crisis under this Minister and this Government. The disease and the problem of the Powerhouse Museum is creeping into other projects. The Government has refused to accept the recommendations of this multi-party inquiry that had community groups as well as parties from the entire political perspective working together. The committee found there was no final business case for the Powerhouse Museum that complied with Treasury's *NSW Guide To Cost-Benefit Analysis*.

In its defence, the Government claimed that it had conducted 30 independent reviews. But Treasury had major concerns about the Powerhouse Museum. One only has to look at what is happening in other projects. The

Government claims the Sydney Modern Project at Art Gallery NSW will cost \$344 million, but according to respected former government architect Lionel Glendenning, the cost is headed towards \$600 million.

The Hon. Don Harwin: Well, he is just simply wrong.

The Hon. WALT SECORD: You say he is wrong?

The Hon. Don Harwin: Yes, as he has been wrong on any number of issues.

The Hon. Greg Donnelly: Point of order: The shadow Treasurer is seeking to make a contribution and the Government Leader of the House is interrupting him.

The Hon. WALT SECORD: And repeatedly attacking a respected former public servant.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): Order! I uphold the point of order of the Hon. Greg Donnelly. I do not need the assistance of the Hon. Walt Secord for two reasons. First, he interjected when a member on his side was coming to his defence, which is discourteous. Secondly, his comments were inappropriate.

The Hon. WALT SECORD: One only has to look at the Sydney Modern Project at Art Gallery NSW. The Government claims it will cost \$344 million but the Opposition has been advised that it is heading towards \$600 million. There is also the Walsh Bay Arts Precinct, which has jumped from \$129 million to at least \$245 million. Now the Powerhouse Museum is in trouble. We are looking at funding for arts and infrastructure projects in New South Wales that is costing upwards of \$2 billion. We also see that the Australian Museum will be closed for a year and the renovations will cost \$50 million.

I make this final observation. One of the key recommendations was that the parliamentary committee continue its work. For the record, I support the projects that are under examination, but I do not support the way the Berejiklian Government has handled those projects in allowing costs to spiral out of control. I have obtained shadow Cabinet approval, and if the inquiry into the Powerhouse Museum and other cultural infrastructure projects is to continue, Labor will support any moves by The Greens, the Shooters, Fishers and Farmers Party or other crossbenchers to set up further inquiries or expand or continue this inquiry into the Powerhouse. I would be delighted to serve on that committee, if that be the will of this Chamber.

Debate adjourned.

PUBLIC ACCOUNTABILITY COMMITTEE

Report: The Impact of the WestConnex Project

Debate resumed from 18 June 2019.

Reverend the Hon. FRED NILE (15:30): As Chair I am pleased to speak to the report of the Legislative Council Public Accountability Committee entitled *The Impact of the WestConnex Project*. I am pleased that the Government's response, provided through the Minister for Transport and Roads, has been very positive regarding the committee's report and recommendations. In my foreword to the report, I stated:

... major infrastructure projects, such as WestConnex, cannot be delivered without a certain amount of disruption. However, it is clear that construction for the WestConnex has had a significant and pronounced impact on local communities and families. ... I sincerely hope that some of the findings and recommendations contained in this report may make life a little easier for those impacted ...

The report contains 27 recommendations and 16 findings. Firstly, the report considered how to achieve greater transparency in delivering major infrastructure projects and, secondly, how to improve community consultation and complaint handling. That seemed to be one of the weaknesses of the Government's handling of WestConnex. There is no question that WestConnex was a very important project, but there seemed to be a lack of preparation by the Government—and, in this case, by the Minister for Transport and Roads—for the impact that this major project would have on the community. There should have been adequate preparation for community consultation and for complaint handling. Thirdly, the 27 recommendations in the report addressed the construction impacts and how to preserve amenities for the community.

As I stated in my comments in the report, I am concerned that the proposed WestConnex unfiltered tunnel ventilation stacks do not meet best practice standards. One of the committee's major recommendations was that filtration systems be installed in all current and future motorway tunnels. As members know, some time ago we had a big debate about the serious problems that occurred with the M5 because of the lack of proper filtration systems. There was an alarming situation where signs at the beginning of the tunnel warned drivers to wind their windows up, otherwise they would be contaminated with pollution. I also said that the inquiry heard about the experiences of residents and businesses who had their properties compulsorily acquired for WestConnex. Like the other members of the committee, I was saddened to hear that compulsory acquisition had not always been

managed with an appropriate level of care. The report includes recommendations that aim to make compulsory acquisition processes fairer and more transparent.

In another controversial issue, there were opponents of the WestConnex project who did not want stage three to proceed. After our inquiry, we recommended that stage three of WestConnex continue and that it not be cancelled. That in itself will create some challenges for the Government. WestConnex is an important part of improving the State's road infrastructure. To stop it now would cost taxpayers greatly and lead to reduced Government investment in other areas. I will not go through all 27 of the committee's recommendations now, but I will quote some that are very relevant and important. Recommendation 1 states:

That the NSW Government for future large scale infrastructure projects:

- hold public planning inquiries
- prepare a detailed options analysis
- ensure that this analysis is independently peer reviewed in accordance with the requirements of the Infrastructure Investor Assurance Framework ...

We stressed that aspect of independence because of some officers who had been engaged by the department to handle complaints from the public about the negative impact of WestConnex on their businesses and homes. It seemed to us—which is why we want the Government to investigate further—that some of those individuals who were hired by the Government to handle complaints were not truly independent. They were not giving residents' complaints their due attention. It seems that some of the so-called experts in that role also had other roles with the department where they were being paid in a sort of advisory capacity, which the committee believed compromised them. It was the perception of the committee as it conducted this inquiry that because they had some other employment opportunities, they did not want to jeopardise this particular one with the WestConnex. So they were not truly independent in the way they were handling complaints and acting on behalf of residents. They seemed more to be acting on behalf of the Government, whereas the public assumed when they were talking to these individuals who were set up to take complaints that they were talking to someone who was really independent and could genuinely act on their complaints. Recommendation 2 states:

That the NSW Government mandate the completion of a public health impact analysis as part of the wider economic analysis undertaken for future large scale infrastructure projects.

There will be further projects; the Government needs to learn the lesson from this one and not repeat the same mistakes. Recommendation 3 states:

That the NSW Government:

- publish the strategic business cases, appropriately redacted of commercial in confidence information, for all major infrastructure projects,
- publish the base-case financial models for future infrastructure projects, 18 months after either:
 - a) the commencement of construction on a project, or
 - b) after the opening of the first stage of a project, whichever comes first, and
- publish the cost benefit analysis at the same time as the base-case financial model is published.

That would give confidence to the public and businesses affected by the construction that all the facts and figures are available to them. Those facts and figures were not made available, so a negative attitude was taken by businesses that were affected. Some had to close down. They were not economically viable because of the impact of WestConnex, which raised the question of compensation. The Committee thought that the Government, through its administration of WestConnex, should have demonstrated how it was handling complaints and compensation where that was necessary. We believed that there certainly was a need for compensation when a business had to declare bankruptcy or was forced to close, and that some sympathy and assistance should have been given in those situations. Recommendation 20 states:

That the NSW Government ensure that for any significant project the acquiring authority must provide clear and consistent information about the compulsory acquisition process by:

- ensuring relevant staff are sufficiently trained and experienced
- confirming key information in writing in a timely manner
- providing counselling and translation services where necessary.

That recommendation arose from some of the key issues that were raised during the inquiry. The committee is pleased that the construction of WestConnex has been successful. If the Government follows up on some of our recommendations it will not be faced with some of the problems that occurred with WestConnex when it undertakes future projects. I assume there will be future projects in the Sydney metropolitan area and in the rest of New South Wales. I commend the report to the House.

The Hon. SHAYNE MALLARD (15:42): I speak on the report of the Public Accountability Committee inquiry into the impact of the WestConnex project. I was a committee member. WestConnex is one of the largest and most complex transport projects ever undertaken in Australia. This inquiry was established to examine the

business case, costs and governance structure associated with the WestConnex project. It was also set-up to look at the impacts of the project on the local community. I acknowledge Reverend the Hon. Fred Nile, for his chairmanship of the inquiry, which at times was very emotional for participants and the witnesses whose homes and lives have been impacted by the project. The terms of reference were self-referred by the committee on 21 June 2018 and included, amongst others:

1. That the Public Accountability Committee inquire into and report on the impact of the WestConnex project, including:
 - (a) the adequacy of the business case for the WestConnex project, including the cost-benefits ratio
 - (b) the cost of WestConnex project, including the size and reasons for overruns
 - (c) consideration of the governance and structure of the WestConnex project including the relationship between Sydney Motorway Corporation, Roads and Maritime Services, the Treasury and its shareholding Ministers
 - (d) the compulsory acquisition of property for the project

The committee received 557 submissions. That is a large number of submissions for an inquiry of this nature. There were 11 supplementary submissions. The committee held four public hearings at Parliament House in Sydney with many stakeholders.

The current design is estimated to cost \$16.8 billion. WestConnex is the largest and one of the most complex transport infrastructure projects ever to be undertaken in Australia—and that is no mean feat. Upon completion, the WestConnex project will provide 30 kilometres of continuous motorway, including 22 kilometres of tunnel, which will link Sydney's west and south-west to the city and Sydney Airport. WestConnex is part of the New South Wales Government's integrated transport plan to keep Sydney moving by easing congestion, creating jobs and connecting communities. This investment in motorways, including WestConnex, will result in thousands of cars and trucks being removed daily from local roads—returning these roads to local communities for local use, reducing congestion, and improving safety and the environment.

It will provide an important missing link in the Sydney motorway network. Closing this gap is essential to support Sydney's future transport needs, including for its long-term population and economic growth and prosperity. There is no doubt that building major infrastructure in the inner city can be challenging. Property acquisitions and construction have significant impacts on people's lives. Those impacts should not be underestimated. The Government has worked hard to minimise these impacts on the community but, as Reverend the Hon. Fred Nile said, there are always lessons to be learnt. WestConnex now comprises three stages, to be delivered in six projects over a 10-year period. At the time of publication of this report earlier this year, implementation of the project remained "on time and on budget" and that "more than 40 per cent of the project was now complete".

The WestConnex project was first recommended by Infrastructure NSW in 2012 and endorsed within the State Infrastructure Strategy 2012-2032 as one of the highest investment priorities for the recently elected Coalition Government. The rationale for the project was set out within the *WestConnex—Sydney's next motorway priority* report, dated October 2012. That report was prepared by Infrastructure NSW, Transport for NSW, and Roads and Maritime Services. It stated that the WestConnex project sought to address "the challenges that road users and the community encounter on a daily basis". Those challenges included closing a missing link on the motorway network, congestion and unreliable travel times, and poor urban amenity along Parramatta Road. The committee made a number of findings in its comprehensive report. The first finding was the most interesting:

That the WestConnex project is, notwithstanding issues of implementation raised in this report, a vital and long-overdue addition to the road infrastructure of New South Wales. The committee supports complete construction, including Stage 3 and the Rozelle Interchange.

So the report, whilst highlighting some problems in the implementation and development of this huge project—the biggest infrastructure project in the history of Australia—still stands behind the completion of the project and stage 3. The City of Sydney and Lord Mayor Clover Moore's submission was that the Government abandon stage 3, but the committee agreed with the long-term objective of improving the transport network and the economy of our city. Our first finding supports the Government's stand on WestConnex.

The Government has already responded to this report and, as Reverend the Hon. Fred Nile has pointed out, is generally supportive of the committee's recommendations. This much-needed infrastructure will significantly benefit the people of New South Wales. WestConnex will deliver a number of project benefits, including supporting Sydney's long-term economic growth with improved motorway access and connection to western Sydney and key employment hubs across the city. So that is \$2 billion to New South Wales businesses. I note that a former member of this House, the Hon. Peter Phelps, was on the committee and had some entertaining engagements with the community. He gave a dissenting statement, which I will quote for the amusement of the House. He said:

All that needs to be said is this: the Liberal-National Government has corrected the massive error committed by Neville Wran who, in 1977, bowed to pressure from inner-city luvvies, to cancel the M4 East and sell off the land. WestConnex should be built; and now it will be.

Interestingly, given we are debating this today, *The Sydney Morning Herald* published an article by Matt O'Sullivan this afternoon, and he Premier referred to it in question time. It states:

The number of motorists using the new M4 tunnels [that is, the M4 East tunnels] under Sydney's inner west has been higher than expected in the weeks since they were opened last month, toll road operator Transurban says.

Remember those members opposite: doom and gloom. "No-one will use it, they will avoid it"? There is a free, non-tolled alternative route. There always is when the Government builds a toll road, and there is with WestConnex. However, usage of the new road is up significantly on what was planned. That is a great thing. I use the new road when going to the Blue Mountains, if I am not using public transport or riding my bicycle. It is a fantastic piece of infrastructure.

[*Members interjected.*]

The DEPUTY PRESIDENT (The Hon. Niall Blair): Order! It is very difficult for the debate to be captured in *Hansard* when members are all talking at the same time. I ask members to speak one at a time and the gold will be captured by the Hansard reporters.

The Hon. SHAYNE MALLARD: These tunnels will be a game changer. The construction of stage three is well advanced. Linking the airport to the Rozelle interchange will dramatically change the nature of travelling around our city. I particularly support light vehicle delivery people, the blood vessels of our businesses and our city, who deliver parcels and so forth. The growth in the use of the roads is great news. The tunnels will be a game changer for the people of western Sydney, doubling the capacity of the corridor between Homebush and Haberfield and reducing congestion. There will always be a toll-free option for drivers. When completed the new M4 tunnels are expected to reduce the overall traffic volume on the existing Parramatta Road by more than 50 per cent.

Reverend the Hon. Fred Nile outlined a number of recommendations contained in the report. The Government has given a comprehensive response to them. I note air pollution monitoring in particular. That has been an issue of concern for some years. The Government has responded that it has stringent monitoring of air pollution control. The Environment Protection Authority has oversight of licensing the tunnels now, so there is independent oversight in that regard. I will not go through the details of the recommendations—that is for members to check with the tabled response. However, I will say that it was the Berejiklian Government that promised it would finish the M4. It is a road that those members opposite could not finish. We are currently getting on with the job of completing it. We will deliver WestConnex for the people of New South Wales. I thank the committee staff and the secretariat for their hard work. I also thank my colleagues on the committee chaired by Reverend the Hon. Fred Nile—the Hon. Greg Donnelly, Ms Cate Faehrmann, the Hon. Trevor Khan, the Hon. Daniel Mookhey and the Hon. Peter Phelps.

The Hon. SCOTT FARLOW (15:53): I make a brief contribution to debate on the Public Accountability Committee report entitled *The impact of the WestConnex Project*. I was not a member of the committee during this inquiry, but I sat on the committee for the deliberations. I commend Reverend the Hon. Fred Nile for the way he shepherded the inquiry. I thank the Hon. Shayne Mallard and other members around the Chamber for their contributions. I grew up in Strathfield at the entrance to the M4. I am very excited about WestConnex and the twin tunnels that Sydney has been awaiting for so long. How good is WestConnex? The naysayers opposite are probably lining up in their cars ready to go through the tunnel. I am sure the Hon. Rose Jackson is very appreciative of the WestConnex tunnel and the entry conveniently located a couple of streets away ready to go—

The Hon. Greg Donnelly: It's Rose "No Tolls" Jackson.

The Hon. SCOTT FARLOW: Rose "No Toll" Jackson, as the Hon. Greg Donnelly has said. WestConnex is delivering great benefits for the people of New South Wales, the people of western Sydney and, particularly, the people of the inner west for whom the M4 twin tunnels have alleviated so much traffic from their local roads. The Government anticipates even better connections to come with the completion of the M5 duplication, the M4-M5 link, the Harbourlink and its link to the City West Link. It is a total road solution for the people of Sydney. I commend the way in which members contributed to this inquiry. Many interested community groups presented to the inquiry. During the deliberation I was impressed by the approach of all honourable members in dealing with the report, particularly in how Reverend the Hon. Fred Nile saw the recommendations that were to be of assistance to the Government. The recommendation that impressed me most—a recommendation agreed to by the committee—was finding 11. It states:

Stage 3 of the WestConnex is strategically important to New South Wales and should be constructed, not merely because of the massive financial penalties which would apply were it to be cancelled, but because without stage 3 the benefits of the WestConnex project as a whole would not be realised.

That is fundamentally important. We see what they have done in Victoria, with the scrapping of the East West Link and absolutely rubbish infrastructure projects. In New South Wales we are getting on with the job. Thankfully the committee found that the WestConnex project was the right thing to do and endorsed the course of the Government. I commend the committee for that finding.

The Hon. GREG DONNELLY (15:56): The six minutes that remain in this debate are hardly enough; I need perhaps two hours to properly critique the report before the House. I will do my best. This is a very important report to the House undertaken by the Public Accountability Committee, chaired by Reverend the Hon. Fred Nile. Given the public and political interest in the WestConnex project, it goes without saying that all members of the Parliament no matter their political persuasion have been keeping more than a weather eye on the matter of this very significant piece of infrastructure development in New South Wales. The manifest concerns that came into the Parliament by different ways and means led to the determination that there ought to be a proper parliamentary inquiry into this significant infrastructure project.

Reverend the Hon. Fred Nile as chair of the committee presided over a range of members from various political parties. It is important to note this, as what we ultimately did was to produce a report with a set of findings—found on pages (x) and (xi)—in conjunction with a set of 27 recommendations—found on pages (xii) to (xiv). As time does not permit, I will draw the attention of the House to selected findings and recommendations and comment on them. On page 20 of the report members will find dissenting statements from myself and fellow Opposition committee member, the Hon. Daniel Mookhey. These note our concerns about the report.

As honourable members know there is a limit on the words one can use in a dissenting statement. We thought that combining the two statements would bring it to a precise focus and make specific comments. They are to be found in our joint dissenting statement on page 200. The way in which the report and its findings and recommendations have been presented is that there is nothing as good as the WestConnex project. It is the most extraordinary project and it is all blue sky. I will make some random selections of the key findings of the report that Reverend the Hon. Fred Nile, as Chair, and the committee, including Government members, agreed to. On page (x), the first page of the findings, finding 2 states:

That the NSW Government failed to subject the WestConnex project to a comprehensive independent assurance process during the development of the first business case for the project.

Finding 4 states:

That the NSW Government failed to adequately consider alternative options at the commencement of the WestConnex project. This failure has undermined the justification for the project and has exacerbated community opposition.

These are definitive findings of the report. Finding 5 states:

That the transparency arrangements pertaining to the WestConnex business case have been unsatisfactory.

Does it get any clearer than that? Finding 6 states:

That the delivery of the WestConnex project by the Sydney Motorway Corporation has weakened the accountability and disclosure rules that would have otherwise applied if the project had been delivered by a government agency, including the important provisions of the *Government Information (Public Access) Act 2009*.

Finding 7 states:

That the recent sale of a majority interest in the Sydney Motorway Corporation to the private sector will likely exacerbate existing transparency and accountability concerns relating to the WestConnex project.

I can go on. This is a simple, random selection. I put a pin in a page, and here we have it. I have gone through page number (x). This is just a sample of nothing but clear, unequivocal—dare I say—punches in the face for the Government about the problems in so many fundamental, important ways with respect to the WestConnex project. Remember, this is a report from a committee consisting of Government members who endorsed these findings.

I move to the recommendations. They go beyond the findings and make specific points that the committee asks the Government to take into consideration. Ultimately, they will hopefully have some impact on the decision-making that the Government will incorporate into large infrastructure projects now and into the future under the current four-year parliamentary cycle. Recommendation 4 states:

That the NSW Government immediately publish the base-case financial model for the WestConnex project.

We make that recommendation because with any significant project, and clearly this is a major project, there should be no reason whatsoever for any government, of whatever political colour, if it believes that the project has merit deserving financial support—the ultimate imprimatur of the Government—to be afraid of publishing

the base-case financial model. That should be taken almost as a given. This was in the very early stages of what the committee was inquiring into—trying to come to terms with what the base-case financial model was. A significant amount of time during the hearings, including cross-examination of witnesses from government agencies and bodies, was spent trying to draw out, even with some broad precision, let alone reasonable precision, an understanding of the base-case financial model for this project.

This is a project that the Government wears on its sleeve and boasts as a poster project of how it is such a good government and is capable of delivering infrastructure projects. We discovered in our interrogation of the whole process that the base-case financial model for a multibillion-dollar project had not been published. One would think a project such as that would deserve full consideration, examination in detail, interrogation and ultimately publication of the base-case model. Not only could the elected representatives of the public who live in electorates directly affected by this project examine, discuss and perhaps raise questions with the Government and draw matters to its attention, but also the public at large. If the public at large in this State continues to have faith traduced by this Government by its failure to plan its projects, the future of this Government will be well and truly short-lived.

The Hon. Shayne Mallard: Commercial in confidence, Greg.

The Hon. GREG DONNELLY: Commercial in confidence? It is all commercial in confidence. I acknowledge that interjection from the Hon. Shayne Mallard. [*Time expired*]

Reverend the Hon. FRED NILE (16:06): In reply: I thank the members who have taken part in the debate, and again thank all the committee members for their hard work in producing an excellent report.

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

Motion agreed to.

PORTFOLIO COMMITTEE NO. 4 - LEGAL AFFAIRS

Report: Parklea Correctional Centre and Other Operational Issues

Debate resumed from 18 June 2019.

The Hon. SCOTT FARLOW (16:07): I acknowledge and thank from the outset the members of the committee: committee Chair, the Hon. Robert Borsak; Deputy Chair, Mr David Shoebridge; the Hon. David Clarke, the Hon. Trevor Khan, the Hon. Catherine Cusack, the Hon. Shaoquett Moselmane and the Hon. Lynda Voltz for their work on this inquiry. I also acknowledge and thank the dedicated, diligent and hardworking secretariat staff, particularly spearheaded by Merrin Thompson, who assisted the committee greatly with this inquiry. I also acknowledge and thank the individuals, groups and organisations that provided the 38 submissions that were received for their important contributions to the inquiry.

The inquiry found criticisms in management and oversight systems for Parklea Correctional Centre and acknowledged the deficiencies in the contract entered into in 2009 by the then Labor Government significantly contributed to the challenges of the prison. As part of the inquiry it was an eye-opening experience to visit so many correctional facilities, in particular the first one, Parklea. We saw the operational challenges Parklea experiences, particularly with the remand facility and prisoners being transported into the prison through what was quite a maze and obviously also contributed to some of the contraband issues that the facility had experienced. This inquiry was started at a point where there was a live consideration of the private provider who was running the prison, the GEO Group.

The Government outlined during the inquiry that GEO would not be a bidder for the prison contract and I think that alleviated some of the concern of committee members about the operation of the facility. Of course there was a broader scope to the inquiry that led us to see many other Corrective Services facilities across the State. The New South Wales Government firmly rejects finding 3 of the inquiry and claims that Corrective Services NSW has the most robust governance mechanisms in place of all Australian correction jurisdictions to manage and oversee private prison operators, and significant evidence of this was provided to the committee. As such, the finding is not substantiated and is totally unjustified.

One of the arguments put forward in this regard was the importance of market testing and being able to ensure there is competition in the provision of corrective services in New South Wales to ensure that Corrective Services NSW, which does a tremendous job, is able to market test itself against other organisations. The new management contract that applies to the new operators of Parklea includes much stronger provisions than those included under the 2009 contract. It is noted that the committee acknowledged the vast improvements that were undertaken as part of this new contract.

The committee delivered a favourable assessment of the design and operating model in the two rapid-build prisons that we visited and data shows these prisons performing very strongly. We received a lot of submissions from justice advocate organisations and academics regarding the role of rapid-build prisons and their environment. In visiting the facilities at Cessnock and Wellington in western New South Wales, committee members across-the-board were very impressed, particularly with the active day requirements of these facilities. It was a bit of an eye-opener. The active structured day is leading to a lot of rehabilitation advantages in these prisons, with people undertaking either educational courses in the morning or afternoon and people undertaking work programs in the alternate sections of the day. Inmates are being kept very busy in a constructive activity. That helped in terms of the dormitory-style accommodation, with around 30 people being in those dormitories. Many people were sceptical about how the dormitories would operate in those prisons. However, the inmates we spoke to gave strong feedback about how they liked the facilities and the programs that were available. Indeed, there were not the issues that many academics and theorists had predicted about rapid-built prisons.

I know the Hon. David Clarke took a great deal of interest in the submission about snoring, the dangers of snoring and its impact on inmate safety in a dormitory-style prison. As members can imagine, there is some oversight of a room of 30 people that is not necessarily there in a room of two or three people—the two-ups and the three-ups, as they are called in the prison system. As such, there is added safety in those large numbers and at this stage they seem to be running well. They are not suitable for all prisoners—and the commissioner was very clear to make that known—but they were having a remarkably strong impact on those inmates who were part of those facilities. Indeed, requests are coming from inmates to be placed in those facilities, which was quite a surprise to all committee members.

The committee had an overall positive consideration of the Corrective Services NSW benchmarking program, which increases transparency, improves accountability and lifts performance across publicly-run correctional centres. It is noted that the majority of the actions recommended in the report have already been planned or are in the process of being undertaken. The New South Wales Government is committed to fixing the issues that we have inherited over many years and is getting on with the job of fixing and improving outcomes in New South Wales.

Of considerable note is the growth in the prison population in New South Wales over recent years. When the Coalition came to government there was a decline in prison numbers and facilities were closed across New South Wales. We have seen significant increases in the prison population across New South Wales necessitating innovative ways in which to find more capacity in our prisons across New South Wales, such as reopening of facilities like Berrima and the rapid-build prisons as they were the only way to increase capacity in the system in such a short period of time.

I note the dissenting statement of the Hon. Trevor Khan who stated that this was, in a sense, a missed opportunity at times. It did feel like this was a committee in search of an answer. We started with the contraband issues at Parklea and when they were addressed, the committee started to look at what other problems we could potentially find. There was some excitement that the rapid-built prisons would be that issue but they of course were not; they were actually positive improvements. The committee visited quite a number of correctional facilities across the State, including the Wellington Correctional Centre, the rapid-build in Wellington as well, the Cessnock rapid-build facility, Silverwater, Long Bay and Junee, the other privately-run prison in New South Wales that I was not able to be present for, Parklea Correctional Centre and women's facilities.

The committee inspected a lot of prisons across New South Wales and saw a range of things happening in our corrective services in New South Wales. In particular I commend the work of Corrective Services staff across New South Wales, particularly Commissioner Peter Severin and his team for their assistance to the committee. We spent a lot of time together considering the amount of facilities we visited throughout the inquiry. I commend him and his team for the good work they do in Corrective Services NSW in what is a very difficult working environment. Our Corrective Services staff across New South Wales are in a very difficult position; it is a dangerous workplace. As the former Minister for Corrective Services, the Hon. David Elliott, used to say, prisons are not nice places. They are places where bad people who have done bad things go. That is unfortunately the reality they face every single day in their working life. Their job of working with and rehabilitating people in that setting while also instituting more programs to help people when they come out of Corrective Services facilities to make a positive contribution to society and reduce the rate of recidivism is very noble. I commend the report and the Government's response to the House.

The Hon. NIAL BLAIR: The question is that the House take note of the report.

Motion agreed to.

PUBLIC ACCOUNTABILITY COMMITTEE**Report: Impact of the CBD and South East Light Rail Project****Debate resumed from 8 May 2019.**

Reverend the Hon. FRED NILE (16:17): I am pleased to speak to report No. 2 entitled "Impact of the CBD and South East Light Rail Project" conducted by the Public Accountability Committee and tabled in January 2019. The light rail project was very challenging for the committee, as it was for the Government. However, the CBD and south east light rail project is a major infrastructure project in Sydney that will connect Circular Quay to Kingsford and Randwick—to the eastern suburbs. It aims to improve public transport capacity and to ease traffic congestion, which is costing the economy a substantial amount of money every year. It is a complex and large project, with construction occurring along one of the CBD's most congested streets, George Street, of which all members would be aware. The benefits of the project, once finalised, potentially will be significant. The committee hopes that will be achieved when the project is completed and members of the public are able to travel on the light rail.

Unfortunately, though, serious questions have been raised in relation to the project's time frames and costs. The project already has been delayed by at least a year. Although Transport for NSW would like it to be finalised by December 2019, the official completion date is already currently March 2020. There may also be further delays, according to evidence provided by ALTRAC and Acciona. In terms of costs, unresolved claims for contract modifications undermined penalties for delays and a complex legal dispute between Transport for NSW and Acciona raised questions about whether the project will exceed its \$2.1 billion budget. It appears that it will. This is understandable, given that a liquidity facility fund had to be established for ALTRAC. The department already has had to provide \$100 million to contractors to keep the project moving.

With infrastructure projects of this magnitude, a degree of disruption is to be expected. However, as the inquiry has shown, the impacts of construction have been profoundly experienced by residents and businesses located along the light rail route. Many have experienced excessive noise, dust, vibration and damage to their homes. Some of those issues have been heightened due to construction delays. I acknowledge that the level of noise during works undertaken out of hours has been impacting particularly on residents' lives. That leads to the question of trying to finish the project quickly and working outside of normal working hours or not doing that which results in the project taking longer. It is question of weighing up the two options.

Although alternative accommodation has been offered to some residents as a mitigation measure, the committee understands that there have been impracticable delays and further questions raised about the viability of the project. The impact of this project on businesses has been particularly significant. It was clear to the committee just how much businesses have struggled since commencement of the construction of the light rail, with some having to close down. It has been especially hard for small businesses that have been impacted by barricades, disruption in foot traffic and the severe loss of trade and good will. Not only have they experienced the impact of significant financial losses, the physical and mental wellbeing of people has been negatively impacted. This was particularly distressing for committee members to see. We experienced some emotional hearings when witnesses shared the impact that this project has had on their lives, their businesses and their homes.

The committee thanks all the witnesses who came forward to share their experiences with us so that the committee would have a full understanding of the impact of the project on their personal lives. There are lessons to be learnt from this project and how it has been managed. With this in mind, many of the committee's recommendations are aimed at informing how future major infrastructure projects are planned and implemented, particularly in terms of how construction may affect residents, businesses and the wider community. While it has been a tough time for many affected by the project I personally hope—and I believe the majority of committee members also felt—that, once completed, the light rail project will deliver its anticipated benefits. As I said, I thank all witnesses who appeared at the hearings and the committee members for their hard work in conducting the inquiry.

I also thank the Government for its response to the recommendations of the committee, which I received from the Hon. Andrew Constance dated 8 July 2019. I thank the Government for its very detailed response to each of the committee's 20 recommendations. The Government does not attack the recommendations; rather, the Government provides explanations. For example, in Recommendation 1, the committee formally requests the Auditor-General to undertake a review into the effectiveness of public-private partnership contracts for significant State infrastructure projects in the light of contractual issues that have arisen in relation to the CBD and south east light rail project. The committee not only heard evidence of that during the inquiry but also saw evidence of that in the media as well as the impact of some of the contracting companies from overseas nations that seemed to be out of their depth in some ways in trying to construct the light rail project.

In response to Recommendation 1, the Government's view is that there is no need to undertake a review into the effectiveness of public-private partnership contracts, although the committee felt there is a need to carefully weigh it up and, if possible, to have projects that are conducted by the Government itself and not in relationship with private businesses. These are the lessons from the Sydney light rail project that have been learnt by the Government and the committee understands that those lessons have been applied to the Parramatta light rail project as well as other projects in the future. The committee thanks the Government for its response to that recommendation and prompt action in applying that recommendation to other projects the Government has underway.

Another recommendation was that once the CBD and south east light rail service becomes operational, Transport for NSW should closely monitor patronage of the service to ensure it can respond effectively to future demand. Some concern was expressed about whether the project has clearly taken into account the future pressures resulting from the numbers of people who will use the light rail. The committee recommended that the Government publish detailed quarterly reports on patronage. The Government agreed with that recommendation in principle and said that patronage changes and performance across all modes of public transport will be monitored, particularly the CBD and south east light rail project, and will be published monthly with Opal patronage data on its website. That will be of assistance to the community.

Recommendation 4 was that Transport for NSW publicly release the outcomes of modelling in relation to journey times between Randwick, Kingsford and the Sydney CBD upon finalisation of the designs for each junction along the CBD and south east light rail route. The Government agreed in principle with that recommendation and stated that end state traffic modelling, including headway and journey times analysis, is being conducted by the Government. Traffic modelling is an interactive process taking into consideration network demands across various transport modes to ensure we balance the needs of the new light rail and the other road users, including bus customers. The Government has to weight up pressures of the light rail on the public who may prefer to travel by bus or by car.

Recommendation 6 is that the Government undertake a review of the exemptions provided to projects declared critical State-significant infrastructure. There were some suspicions with the committee members that this declaration seems to be a blanket covering, where it may conceal a lack of public consultation and the fact that there was not an adequate environmental impact assessment as a State-significant infrastructure proposal. The Government has denied that there is any use for that classification to reduce efficiency and public accountability. We accept that response from the Government.

We raised questions about the independent environmental representatives and we were concerned as to whether, as I mentioned in the other report, they are truly independent, or whether they have a clash of priorities if they have already taken on other contracts and want to see the Government's approval so they are not being totally critical of any aspects of the project. I commend the report and recommendations to the House.

The DEPUTY PRESIDENT (The Hon. Niall Blair): Order! According to resolution of the House this day, debate on committee reports and Government responses is interrupted at 4.30 p.m.

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: RESCISSION OF ORDER

The Hon. NATASHA MACLAREN-JONES: By leave: I move:

That standing orders be suspended to allow a motion to be moved forthwith that the resolution of the House this day regarding the adjournment of the matter of public importance relating to Crown Resorts to next sitting day be rescinded.

Motion agreed to.

RESCISSION OF ORDER: ADJOURNMENT OF MATTER OF PUBLIC IMPORTANCE

The Hon. NATASHA MACLAREN-JONES: I move:

That the resolution of the House this day regarding the adjournment of debate on the matter of public importance relating to Crown Resorts to next sitting day be rescinded.

Motion agreed to.

Matter of Public Importance

CROWN RESORTS

Discussion resumed from an earlier hour.

The Hon. ADAM SEARLE (16:32): I contribute briefly to the discussion on the matter of public importance regarding Crown Resorts. I associate myself with comments made by the Hon. John Graham on behalf

of the Opposition. These very serious allegations were made in some detail through the media and, as the Hon. John Graham acknowledged, they are contested. Of course, people's views about institutions such as casinos are sharply divided in the community. The Opposition is not weighing in on that issue, and it notes the fact that the Prime Minister and the First Law Officer of the nation have made referrals to appropriate bodies in respect of these matters. This should lead no-one to be in any doubt about the gravity of the matters to be investigated.

There should be appropriate restraint from those who have the privilege to speak in Chambers of Parliament, including members in this Chamber, not to prejudge how many of those allegations are going to be upheld. But I will leave members with this thought: Throughout history there has been an ongoing struggle to keep organised criminal activity out of gambling and places of gambling. That is why they are appropriately and heavily regulated. For example, in relation to The Star, the existing casino in New South Wales, it was not long ago that the Independent Liquor & Gaming Authority thought it appropriate to have Government inspectors embedded in the institution to keep a watchful eye on activities to ensure that we did not see encroaching criminal activity, and to prevent the use of the casino as a site for a money-laundering operation or for other criminal activity.

The Government of the day saw fit to propose legislation to abandon the embedded inspectors. That was debated in this Chamber. Members on this side of the House proudly took the stand to resist the removal of inspectors, which we think was a retrograde step. If the investigation of the matters involving Crown show real evidence of criminal activity encroaching into this space, the Government should give close consideration to the appropriate forms of regulation of this mode of gambling. We cannot have a place with so much cash flowing through it creating so many potential risk opportunities, such that we allow criminal activity to get a foothold and to flourish in an additional place in Sydney. We will never abolish crime altogether, but we have to minimise the opportunities for it. We think the removal of the embedded inspectors was a mistake.

Obviously, we will see what we see when these bodies investigate the allegations in relation to Crown but it is incumbent on all of us, if we are to have legal casino operations in this State, to ensure they are regulated to protect the community against criminal activity. If we do not do that, and criminal activity gets a foothold and flourishes, it will reduce public support for institutions like that—whatever economic benefits they may bring to the city and to the State. It will be to the net detriment of the State of New South Wales if that happened. With those brief observations I fully support and endorse the comments made by the Hon. John Graham in this discussion.

Reverend the Hon. FRED NILE (16:36): I speak briefly in support of the matter of public importance raised by Mr Justin Field. I am sure other members of the House share his concern about the harmful impact of casinos; in particular, media reports about Crown Casino in Melbourne. We have not had a parliamentary inquiry or investigation into those reports; in future some of them may be found to be unjustified. We are not at that stage. I did share the concerns of other members when the Crown Casino was proposed in Sydney. As members know, I successfully moved an amendment to the Crown Casino bill to remove poker machines from the Sydney Crown Casino because of the harmful impact of hundreds of poker machines, as Crown has in Melbourne.

I travelled at my own expense to Melbourne to inspect the operation of Crown Casino. I spent a whole day there to examine how it was operating. Obviously I could not physically see any criminal activity—I was not an inspector involved with the casino. But I was very impressed with the set-up of Crown Casino and the efficient way in which it was operating—especially the way in which Crown is operating its air-conditioning systems to alleviate the harmful impact of cigarette smoke. As a result of the matter raised by Mr Justin Field, I support further inquiries into what is happening in Sydney to ensure that what we are reading about is not true. If it is true, I support further inquiries into what action is being taken to combat activity of organised crime at the proposed Sydney casino.

Mr JUSTIN FIELD (16:39): In reply: I thank Minister Tudehope, the Hon. John Graham, the Hon. Adam Searle and Reverend the Hon. Fred Nile for their contributions to the discussion on this matter of public importance. In the Government's response the Minister said words to the effect of, "I can assure members the matter is well at hand." That is a bold statement to make given what we have seen in the media. The Minister said that casinos operate in a highly regulated industry and are subject to ongoing and rigorous probity assessments and checks. If that is the case, despite the regulatory environment and the ongoing and rigorous probity assessments and checks—and I understand the caution in the language used in the discussion today and I will temper mine and be quite specific—Crown has knowingly associated with organisations with links to organised crime and money laundering.

That is not an accusation made as a result of the revelations in the media; it is a fact. Crown has partnered with Suncity, a gambling establishment that runs junket operations. The chief executive officer of that organisation is not allowed into the country because of the company's links to organised crime and money laundering. One of Crown's business partners is running junkets into Australian casinos. Crown has knowingly engaged with an

organisation whose chief executive is not allowed into the country because of those links. That is on the record through revelations in the media.

I wonder whether the Minister will come to regret his words at some point as the investigations at a Commonwealth level continue. I am sure there will also be probity checks at the State level when this information comes out. I acknowledge that many of the public reports contain allegations that are contested by Crown. I thank the members who contributed to the discussion for making that clear. However, I restate that the media reports are often based on Crown's own documentations, on court documents of Victorian prosecutions of junket operators with known links to organised crime, on video and images from investigations and prosecutions that have occurred, and on emails outlining favourable treatment by Commonwealth officials on visas. Many of those facts are not contested. That is the starting point for this discussion.

A VIP-restricted gaming facility that is explicitly targeting Chinese high-rollers using the junket-operator model has been exposed through media reports as being fundamentally linked, particularly with how it works with Crown, to organised crime, money laundering and other offences. This is a business model that Crown is relying on to make the Barangaroo facility financially viable. In November 2013 the Casino Control Act was amended to enable the approval of Crown's restricted gaming licence. Part 13A of the Act outlines the conditions under which the Independent Liquor & Gaming Authority [ILGA] must assess the suitability of the applicant. I will read a couple of the provisions onto the record. They state:

- (1) The Authority must not grant an application for a restricted gaming licence unless it is satisfied that the approved applicant, and each close associate of the approved applicant, is a suitable person to be concerned in or associated with the management and operation of the Barangaroo restricted gaming facility.
- (2) For that purpose, the Authority is to consider whether:
 - (a) each of those persons is of good repute, having regard to character, honesty and integrity, and
 - ...
 - (g) any of those persons has any business association with any person, body or association who, in the opinion of the Authority, is not of good repute having regard to character, honesty and integrity or has undesirable or unsatisfactory financial sources, and
 - (h) each director, partner, trustee, executive officer and secretary and any other officer or person determined by the Authority to be associated or connected with the ownership, administration or management of the operations or business of the approved applicant or a close associate of the approved applicant is a suitable person to act in that capacity.

The provisions around honesty and integrity are very specific and the breadth of people it could include is quite broad. If Crown's business model is reliant on junket operators that are linked to organised crime and money laundering, and those junket operators bring in the bulk of Crown's business and form the bulk of its operations, I find it difficult to believe that Crown can pass the tests of the Act. At the end of this discussion my questions remain, as they were not satisfactorily answered by the Minister in his contribution on behalf of the Government.

Was the Government aware of Australian Federal Police [AFP] investigations underway at the time of the probity review into money laundering by Crown associates and links between those persons and organised crime? Was the Government aware of the prosecution of at least one person as a result of those investigations for money laundering offences in the month before the probity review commenced? There is a very specific provision in the Casino Control Act on the restricted gaming facility and what ILGA was supposed to consider. Part 13A (3) of the Act states ILGA should take into account:

- (b) the fact that gaming is not authorised in the Barangaroo restricted gaming facility before 15 November 2019.

Did that fact enable ILGA or the Government to not consider previous issues associated with Crown's operations? Did it use the assumption that Crown would be required to fix up any of those issues between the time the licence was approved and the time the casino opened, which was as early as 15 November 2019? The Government should be clear about whether that was the direction given to ILGA about how it should conduct the probity review. With respect, I do not think it is enough for the Minister to simply say there were comprehensive probity assessments when the facts—they are not all only allegations—suggest that either the probity assessment was not adequate and did not turn up these matters or it did turn them up but they were considered to not be material to the licence application, or were factored into the conditions of the licence. If the later is the case, what action will the Government take now in response to the additional allegations and facts that have arisen since the licence was approved to ensure that—as the Hon. Adam Searle mentioned—the casino will not attract organised crime, money laundering and criminals, who are facilitated to come and participate in activities at the facility by Crown itself?

The Government mentioned ongoing investigations by ILGA but it is not clear what they involve. I will be seeking a Government briefing on this. At the start of his contribution the Minister made a comment along the lines of, "The Government conducted a comprehensive assessment of the value of this proposal to the people of

New South Wales." That is the point and it goes to the bigger question that I raised. When a company makes an unsolicited proposal and puts \$1 billion on the table upfront, and the Government is prepared to enter into an agreement and accept that sort of money before a probity assessment is even conducted, how can the community have confidence that the Government is not simply blinded by—as Elizabeth Farrelly said in her column over the weekend—a "big glinting pile of dosh"?

The community is concerned that not all is well with how this process played out. What trust can the public have that probity was not fundamentally undermined by a decision of government? The Government announced a binding agreement before the probity process even started and \$100 million was paid upfront, with another \$1.9 billion to come, before the cheques even started. That does not pass the pub test, let alone the casino test. Earlier the Minister seemed to suggest that probity reviews in 2012 and 2013 made the quicker probity check possible. In light of the AFP investigations and prosecutions later that year, it becomes a questionable process indeed; one that may well have failed the interests of the people of New South Wales. There are still significant questions for the Government to answer about what happened in 2013 and 2014 and what should happen now.

That is even before those allegations that are in the media are tested. What is important to look at here is it is not just a dubious decision to award a casino licence, it is the influence of big money on our politics and the far-reaching consequences that has in enabling organised crime to infiltrate our society. At times the Government waxed lyrical about being tough on crime and tough on drugs. But here we have one of the biggest corporate institutions in Australia with not only some serious allegations against it but also some facts of links to organised crime, drug trafficking and the like and not a peep from the Government. When the community compare the two, they are right to ask questions if one gets favourable interest over the other.

Discussion concluded.

Committees

STAYSAFE (JOINT STANDING COMMITTEE ON ROAD SAFETY)

Membership

The DEPUTY PRESIDENT (The Hon. Taylor Martin): I report receipt of the following message from the Legislative Assembly:

Mr President

The Legislative Assembly informs the Legislative Council that it has this day agreed to the following resolution:

That:

- (1) Wendy Elizabeth Lindsay be appointed to serve on the Joint Standing Committee on Road Safety in place of Gabrielle Cecilia Upton, discharged.
- (2) A message be sent informing the Legislative Council.

Legislative Assembly

JONATHAN O'DEA

7 August 2019

Speaker

Bills

GAMBLING LEGISLATION AMENDMENT (ONLINE AND OTHER BETTING) BILL 2019

First Reading

Bill introduced, and read a first time and ordered to be printed on motion by the Hon. Scott Farlow, on behalf of the Hon. Sarah Mitchell.

Second Reading Speech

The Hon. SCOTT FARLOW (16:51): On behalf of the Hon. Sarah Mitchell: I move:

That this bill be now read a second time.

The Gambling Legislation Amendment (Online and Other Betting) Bill 2019 builds on the Government's commitment to ensure that there are appropriate controls in place to proactively deal with gambling-related harm in online wagering. Online wagering in Australia is growing rapidly and is changing the way consumers react with gambling companies. In 2018 more than 34 per cent of Australians placed a bet online—more than double the rate that existed in 2012. Customers are increasingly turning to online wagering providers, as they give customers the flexibility to gamble how they want.

However, while the Government continues to support innovation by industry, it is critical that the industry remains an active player in responding to the harms associated with their business model. To ensure this occurs, the Government has taken decisive action to put in place a regulatory framework that responds to emerging market

trends that present risks, including those that cause gambling-related harms. Last year the Government introduced a package of reforms to enhance the controls regulating online betting services in response to a number of operators falling short of community expectations. These reforms raised the stakes for operators, putting them on notice that irresponsible gambling advertising will no longer be tolerated.

These reforms, including a tenfold increase to penalties and imposition of directorial liability, were implemented because betting service providers were prepared to accept existing sanctions as a cost in doing business. The penalty increases recognise the fact that offering inducements to gamble is a serious breach of the legislation and that more needed to be done to protect problem gamblers and those who might be lured into gambling more than they intend. The Government has been incredibly successful in enforcing New South Wales wagering laws following these changes.

Since the Government increased the penalties for advertising gambling inducements, Liquor & Gaming NSW has already successfully prosecuted five betting service providers, with proceedings commenced against a further five operators. In addition to this rigorous enforcement of the law, the Government has also created the Office of Responsible Gambling, which in its Strategic Plan 2018-2021 states a bold vision of New South Wales working towards zero gambling harm.

To support this, the Government has allocated \$35 million in 2019-20 to prevent and treat gambling-related harms, including \$17.6 million to Gambling Help services, including phone, online and 55 face-to-face counselling services in more than 250 rural, regional and metro locations throughout New South Wales; \$5.3 million to education and awareness programs to encourage responsible gambling, assist the people of New South Wales to make informed choices by understanding the risks of harm and build resilience in the community; and \$7.4 million to develop technology, innovation and partnerships in the areas of harm minimisation, early intervention and treatment.

While we are already seeing improvements by wagering operators in response to the Government's rigorous enforcement of New South Wales wagering laws, the Government is committed to ensuring that it continues to give the regulator the tools it needs to combat emerging market trends that cause gambling-related harms. As part of this commitment, I introduce further amendments to New South Wales wagering laws to ensure that New South Wales continues to be the high-water mark for enforcement of gambling harm minimisation safeguards in Australia.

The amendments to the Betting and Racing Act 1998 and the Totalizator Act 1997 contained in the bill have two main objectives. First, to implement New South Wales commitments under the National Consumer Protection Framework for Online Wagering, which is a uniform set of standard minimum protections for online gamblers across all Australian jurisdictions. Secondly, the bill inserts a new definition of "inducements" into New South Wales wagering laws to ensure that New South Wales wagering laws continue to have the broad effect that this Parliament endorsed last year.

The first of these objectives is the implementation of the National Consumer Protection Framework, which comes after four years of work by the Commonwealth, State and Territory governments to come up with a response to the emerging risks of online wagering—a type of gambling that demands a nationally consistent approach due to its ability to cross borders with ease. Following a review of the impact of illegal offshore wagering on Australia by former New South Wales Premier the Hon. Barry O'Farrell, all Australian Governments agreed that the effectiveness of consumer protection and harm minimisation was reduced by differences between the regulatory frameworks across jurisdictions.

In response to the recommendations of the O'Farrell review, the Commonwealth Government worked with the States and Territories to establish a set of consumer protection and harm minimisation measures that would apply nationwide. This new National Consumer Protection Framework was endorsed by all jurisdictions last year. The framework provides consumers with tools and information to assist them to make informed choices about their online wagering activity. Under the framework, States and Territories have agreed to introduce a number of specific measures into their wagering regulatory frameworks in two stages. The stage one changes are included in the bill, including prohibiting certain inducements to bet or to open a betting account, requiring betting service providers to give their customers a simple and accessible way of closing their account, and requiring betting service providers to allow customers to set deposit limits to help consumers manage their gambling activity.

While each jurisdiction has been required to implement these measures consistently, it is left to each government to choose the method of implementation under their own regulatory frameworks. As part of its ongoing commitment to address gambling harm in the most effective way possible, the Government chose to insert these measures into the Betting and Racing Act 1998 and the Totalizator Act 1997 to ensure that penalties for breaches of the framework are consistent with other New South Wales wagering offences, which continue to

be Australia's toughest and most comprehensive. As New South Wales is the final jurisdiction to implement stage one of the framework, it has had the benefit of ensuring that our laws are fit for purpose as we have had the opportunity to consider how other jurisdictions have approached this issue to ensure that New South Wales laws apply both at the point of supply and the point of consumption.

I turn now to the specific provisions of the bill. Item [3] of schedule 1 and item [2] of schedule 2 introduce a new definition of "inducements" into New South Wales wagering legislation. Inducements are offers or products that are designed to encourage a person to gamble, gamble more frequently or to open a betting account. While the term is not currently defined under either the Betting and Racing Act or the Totalizator Act, the term is intended to have broad effect. The proposed definition seeks to address the findings of the 2019 Court of Criminal Appeal decision in *Ladbrokes Digital Australia Pty Ltd v Liquor & Gaming NSW* to ensure that the broad meaning of "inducement" under New South Wales wagering legislation remains effective.

While the court in the Ladbrokes decision determined that an inducement must be something additional to the gambling product being advertised—for example, tickets to a sporting event—the proposed definition clarifies that an inducement includes things that are inherent in the product itself. For instance, limited-use offers that allow customers to increase betting odds if they bet in a certain way or access the product over multiple days are designed to encourage users to log in and bet more frequently. Products that strive to make gambling part of a person's daily routine can lead to increased gambling-related harm. Under the new definition, those products will be considered prohibited inducements. The proposed definition is designed to address the Court of Criminal Appeal's decision and prohibit the advertising of incentives that form part of betting products.

Finally, the definition inserts a new regulation-making power to prescribe certain gambling products as inducements through wagering regulations. It is intended that this power will be used only in rare circumstances when an inducement may not fall clearly within the definition detailed in the legislation, but it remains clear that this kind of product should be prohibited. The remaining revisions in the bill implement the national consumer protection framework. Item [5] of schedule 1 to the bill introduces restrictions on how betting service providers directly market to account holders. New section 33HA prohibits betting service providers from sending gambling advertising to betting account holders unless the account holder has expressly consented to receiving advertising. Where a person has opted to close their account, this is taken to be an automatic withdrawal of consent to receive gambling advertisements.

New subsection 33HA (5) clarifies that the prohibition on direct marketing is intended to regulate the conduct of betting service providers to account holders and is not intended to capture conduct by publishers. This new subsection replicates existing provisions under section 33HA (6) and is intended to operate in a similar way to those provisions. This exemption ensures that responsibility for compliance with these legislative provisions is the responsibility of betting service providers. As I noted above, it is the bad behaviour of betting service providers that the Government is seeking to address through these reforms. Media organisations should be entitled to rely on the advice of a betting service provider that an offer is compatible with the law and should be prosecuted only when they fail to comply with a notice from the Government that an advertisement contravenes the law.

Item [6] of schedule 1 prohibits the offer by a betting service provider of specific kinds of inducements. These inducements are expressly prohibited under the framework and are intended to build on, rather than replace, existing prohibitions under New South Wales laws around the publishing and communicating of any inducement. New subsection 33JA (4) is intended to operate in the same way as new subsection 33HA (5) with respect to publishers. The bill also prescribes specific obligations for betting service providers to establish a process for betting account holders to set a deposit limit for their account. Deposit limits are a fantastic consumer protection tool that work by encouraging customers to actively set limits on how much they are willing to gamble before they commence gambling. Under the reforms, all customers must be prompted to set a deposit limit, with all betting service providers required to follow the steps set out in the bill.

These requirements included explaining the deposit limit scheme in plain language and contacting customers about its availability at least every 12 months. That is so betting service providers do not use this scheme to prompt account holders to gamble. The requirements to contact customers do not apply to inactive accounts. Finally, the bill requires betting service providers to give betting account holders a simple, easy-to-use and readily accessible way of closing their betting account. This includes ensuring that the process is prominently displayed on the operator's website. These provisions are designed to ensure that betting account holders can easily close their accounts without delay, which is particularly important for at-risk and problem gamblers. It also ensures that customers who wish to close their account are not subject to any further advertising or inducements to gamble.

The framework amendments will be subject to the same penalties as existing gambling advertising offences, with penalties for a breach of the framework provisions up to \$55,000 for corporations and \$5,500 for individuals. Breaches of framework provisions are also subject to executive liability to ensure that directors of betting service providers can be held personally liable for breaches of any of the framework provisions. This

Government is proud to have the toughest wagering laws in Australia because it demonstrates the Government's commitment to protecting consumers from gambling-related harm and ensuring that betting service providers take consumer protection seriously. I commend the bill to the House.

Debate adjourned.

Judiciary

CONDUCT COMMISSION

The Hon. SARAH MITCHELL: I move:

That according to clause 4 of schedule 2A of the Judicial Officers Act 1986, this House concurs with the nomination of Mr Kenneth Edward Moroney, AO, APM, and Professor Nailini Joshi, AO, as community representatives for appointment to a panel of the Conduct Division of the Judicial Commission of New South Wales.

Motion agreed to.

The Hon. SARAH MITCHELL: I move:

That a message be forwarded to the Legislative Assembly conveying the terms of the resolution agreed to by the House.

Motion agreed to.

Governor

ADDRESS-IN-REPLY

Debate resumed from 19 June 2019.

The Hon. CATHERINE CUSACK (17:06): It is a privilege to speak in the new Parliament, having been re-elected to represent the New South Wales Liberals. I congratulate all 20 colleagues who were elected or re-elected to this place and I have enjoyed the inaugural speeches of all those who are here for the first time. In my own maiden speech I commented on the sense of awe I have for the democracy that brings us here and unites our purpose in this place when we pledge our service to the people of New South Wales. The journey here is as much an adventure as our presence in this place. Our conversations, our learnings and our negotiations improve us all. The remarks of members remind me again of the rich experience and diversity that we bring, and I feel optimistic for the term of this Parliament. I congratulate newly elected members in another place, where I note they are already paying much closer attention to the need to be on time for divisions—a duty that all of us in the Legislative Council are already very practised at.

The new Legislative Council is very different from that of the previous Parliament. I reiterate my congratulations to Mr President on his deserved re-election to office. I place on record how much I already miss the pithy and humorous interventions of my former colleague the Hon. Peter Phelps, and I wonder how he would have managed with the new standing orders and stricter enforcement of conduct in the Chamber. I congratulate Mr President on the manner in which he has grasped the changes and on ensuring that we work through them respectfully and in good order.

My own role on behalf of the Liberal Party is to represent northern New South Wales and to be a conduit for those Liberals and communities north of Port Stephens and west to Barwon. It is a magnificent tract of Australia and I am honoured to represent those awesome regional citizens and to advocate for their interests within the Government and tactfully in this Chamber. My role during the election campaign was in Port Stephens, and I salute our candidate in that contest, Councillor Jaimie Abbott, and her family. Those of us who were elected know we all have worked hard; but, equally, it is a special slice of luck that sees us land on the right side of the electoral line. It is humbling to think how many deserving—even more deserving—candidates just fall short of our good fortune. Jaimie is certainly in that category. Without dwelling on the issues or reflecting on the result, I am sure that the electors of Port Stephens benefited enormously from her campaign, her hard work and her candidacy. We are already seeing many of the benefits of her campaign: Many overdue infrastructure projects will be delivered—projects that had been pipe dreams until that campaign.

I congratulate Premier Gladys Berejiklian on her historic re-election. I congratulate Governor Margaret Beazley, who is an awesome appointment. Her achievements have been ably described by my colleague Minister Harwin, and I only wish to add my observation that such a truly distinguished career and service to our community speaks to her character. Those years of service have seen great intellect devolve into great wisdom and great compassion devolve into extraordinary humanity. We are blessed to have such a representative in the office of Governor. I acknowledge her predecessor, David Hurley, and his gorgeous wife, Linda. His wonderful service won so many hearts, minds and singing voices around the State. As an Australian, I am overjoyed that that service will continue in his new role as Governor-General. Australia is indeed a lucky country to have the calibre of such a citizen—accomplished yet humble—to entrust to such high office.

Premier Gladys Berejiklian—my friend as well as colleague—has done an extraordinary job. Her accomplishments for the Liberal Party and the State as the first elected female Premier are exciting for us all. I congratulate the Hon. Don Harwin on his reappointment as Leader of the Government. He has taken a positive approach, assisting all members to adjust to the new dynamics in the Chamber. It is uncharted waters for him as well as for the rest of us, and he is framing a productive role for us all in the new Parliament. I have listened with utter delight to the plans he has outlined for the arts, including plans for libraries. We heard more about those plans during question time today. It is transformative funding. He is someone who really gets it and will make a fabulous difference in that space.

The university of the common man is a cause that I have been passionate about for decades and it was extraordinary to hear the news in question time today. It is a great opportunity for the Government. The Hon. Don Harwin has the vision, and has carried through with it. There are also plans for the iconic Sydney Opera House, where I worked as an usherette for many years, and the NSW Art Gallery, of which I have been a member for more than 30 years. I have, on and off, been a subscriber to the Sydney Theatre Company since I was a teenager and enjoyed its production of *Cat on a Hot Tin Roof* a few weeks ago. Those institutions had languished for decades—really since Peter Collins was arts Minister. He is fondly remembered to this day for his advocacy and achievements for the arts.

But what is different today, with the re-election of the Berejiklian Government, is that the arts industry is getting a big share of the once-in-a-lifetime infrastructure investment we are able to make in this State due to visionary and disciplined fiscal management. By leasing out those wooden power poles lining the sides of suburban streets, we have transformed road and rail funding but also arts funding—and the regions have received a remarkable share. This funding is being allocated to industries and locations where people generally do not vote for us, so the investment that is being made highlights ethical and independent decision-making that the whole community can rely upon. Every voter can be assured of fairness and value for money. Every penny is scrutinised to make sure it is being spent well.

Delivery of this enormous and historic injection of infrastructure funding has already seen the State's net worth increase to a third of a trillion dollars. And governments from around the world are flocking to New South Wales to see how it is done. New South Wales has gone from having the highest unemployment and the lowest economic growth in Australia to being number one again, and we are maintaining that position. But underpinning those impressive economic statistics are individuals and families whose share of economic success is unequal. Some are thriving with new opportunities but others who are more vulnerable are struggling with the cost of living, and Premier Berejiklian has been very firm about prioritising their needs in service delivery. She has restructured her department to ensure that cost of living and customer service are the framework for everything her Government thinks, says and does.

This was the approach that drove Premier Berejiklian, in her previous role as transport Minister, to deliver the Opal card and the Sydney Metro. This approach now drives every agency and employee—putting citizens first and suiting their convenience, rather than the other way around. The Premier has asked me to take on the role of Parliamentary Secretary for Cost of Living—a new role that builds on work I undertook for Minister Victor Dominello when I was Parliamentary Secretary for Digital Inclusion. It is all about innovative solutions. In my previous role, I was able to develop ideas that have since become policy and have been funded. They are now services that are being delivered. In particular, the Energy Switch online application is saving electricity consumers hundreds of dollars, particularly in regional communities where there is high power demand and higher prices. The Government is receiving reports that people are making thousands of dollars worth of savings.

It is so easy to use to find the best prices on offer, and with one click you can switch providers and not spend hours on the phone going in circles. I encourage everyone to access this service. I encourage every member of this House and the other House, irrespective of their political flavour, to push this service to every constituent in the State. It is a no-brainer for reducing power bills. We all have a responsibility—

The Hon. Walt Secord: It was your idea?

The Hon. CATHERINE CUSACK: Yes.

The Hon. Walt Secord: We will ask you questions about that.

The Hon. CATHERINE CUSACK: When I was Parliamentary Secretary for Digital Inclusion, yes. The Government has rolled out cost-of-living officers in Service NSW offices. This was a digital inclusion initiative because so many government services were moving online and leaving those with poor access to the internet behind. These new officers have been a stunning success, helping consumers access more than 40 concession programs and assisting them, if needed, to navigate and apply for those grants.

The Government has never worked harder to ensure that our citizens are accessing their entitlements. The stories we hear of lives turned around due to this service are very moving, and are reminders of how many citizens are doing it tough. This applies particularly to those whose life circumstances have changed—for example, an elderly woman whose husband has died suddenly and who is trying to perform multiple transactions with the Government, not realising that her driver licence is free, that she is entitled to cheap registration and reduced rates, and that she can use Energy Switch to slash her electricity bills. There are citizens like her living in poverty unnecessarily because they do not know that this support is available or are too proud to share their financial distress with friends or strangers who might be able to give them this advice.

These are the types of people that the Government is finding and assisting. The cost-of-living staff report that they are finding around \$800 of entitlements for each visitor, sourced across a wide array of departments. So these 30-minute appointments are yielding heart-warming outcomes. Staff say that helping people who are worthy and deserving is the best job in Australia. But it is also heart warming for Government members, because we want the targeted assistance programs to work well for those who need the help—and that is exactly what is occurring. Staff members are also able to give feedback and ideas from the coalface to agencies on behalf of customers about how programs can be improved. It is an amazing reservoir of data and information, and the Government is fully harnessing its power to learn and to guide improvements for every citizen.

The customer service offices were launched by the Premier in July last year. We are not even a year into the rollout—which is when my statistics date from—and already its success is capturing international attention. We have reduced the number of government hotlines from 1,000 to one. We have reduced the number of websites from 40 to one. And if you physically visit a centre, the average waiting times have generally been reduced to four or five minutes. Oh my goodness! I remember the days when I used to take a Tom Clancy novel with me to read at the motor registry. Those days are a distant memory now.

I learnt last week that Harvard University has sent a research officer to study our cost-of-living and Service NSW offerings. The model is not simply number one in Australia; it is now regarded internationally as cutting edge and is attracting attention from the likes of Harvard, which is evaluating the strengths of our innovative model. I really love working with Minister Dominello and his staff, and am excited by the term ahead. I look forward to learning from each member in this House. Each term of Parliament is like the commencement of a new journey. I thank the Governor for visiting us and framing the agenda for us to pursue in the coming four years. I am brimming with optimism and hope for this young Parliament. I look forward to sharing new experiences with all members of this House.

Debate adjourned.

Adjournment Debate

ADJOURNMENT

The Hon. SARAH MITCHELL: I move:

That this House do now adjourn.

ANIMAL CRUELTY

The Hon. EMMA HURST (17:20): Our laws are failing animals. Horrific stories of animal cruelty and neglect are making headlines daily—from abandoned dogs found suffering painful, life-threatening tumours to kangaroos being brutalised and slaughtered on private land. These are only the stories that come to the public's attention. In reality, the RSPCA receives an average of 15,000 complaints every year. That is 15,000 animals who are relying on our laws to protect them. That is 15,000 animals whom our laws are failing. Between 2017 and 2018 the RSPCA investigated nearly 15,500 complaints of animal cruelty. From those complaints, only 66 people were charged with offences. That is less than 0.05 per cent. Think about what that says about how we value and respect animals.

The main cruelty legislation in New South Wales is the Prevention of Cruelty to Animals Act 1979 [POCTA]. It can be enforced by three authorities: the NSW Police Force, RSPCA NSW and the Animal Welfare League. In reality, the majority of enforcement, investigation and prosecution is done by RSPCA NSW—a charitable organisation relying on the public for the majority of its funding. Let me make that abundantly clear: The criminal legislation that protects animals in New South Wales is enforced by a private charity. It is the only legislation in New South Wales that is enforced by a charity. Not only that, but the penalties under POCTA are incredibly low. They are some of the weakest in the country. In the majority of other Australian States and Territories the individual maximum exceeds \$15,000 and 12 months imprisonment. Yet in New South Wales the individual maximum penalty for animal cruelty is just \$5,500 and/or six months imprisonment. Governments in the majority of other States and Territories have increased penalties and widened the range of sanctions for animal cruelty to reflect community expectations; yet in New South Wales we have not done so.

I will share with members some stories of these failures. In May 2017 a Baulkham Hills greyhound trainer pleaded guilty to one count of aggravated cruelty for denying his greyhound much-needed dental treatment and then starving the animal to death. This animal suffered and lived traumatised and in pain until the very end, yet the trainer was fined just \$1,400. In June 2018, 1,000 hens were found starved to death at a property in Picton. A further 4,000 were found living in squalid conditions. They were underweight, suffering from respiratory disease and infested with lice. Those surviving hens were put to death. The farmer was fined just \$6,500 and banned from owning animals for only five years. In April this year a Sydney man threw his girlfriend's cat down a seven-storey garbage chute. The cat was found with a fractured tail, the bone raw and exposed, and severe cuts along his body. The man was convicted of two counts of animal cruelty but fined only \$3,000 and given a two-year community corrections order.

These are animals who have been tortured, scarred for life or murdered. These are animals whom our laws have failed. We can do better; we know how to do better. Increasing the maximum terms of imprisonment and fines for animal abuse as well as ensuring that those who beat, starve or abandon animals are banned from owning an animal would send a clear signal that cruelty must be taken more seriously. We have a choice before us. The lives of 15,000 animals depend on our decision to act. Today I say it is time we step up to the plate. It is time we agree on stronger laws, enforcement and penalties for these horrific crimes.

URBAN GREEN SPACE

The Hon. SHAYNE MALLARD (17:25): I speak tonight about a policy that is dear to my heart: the issue of open public spaces. The Berejiklian Government has a plan to create more green space for people to enjoy, reduce car dependency and promote healthier lifestyles in our State. It may not immediately seem clear that these three aspects of the plan are interlinked, but they most certainly are. In his book *Life Between Buildings*, great Danish urbanist Jan Gehl writes:

... four key objectives—lively cities, safety, sustainability and health—can be strengthened immeasurably by increasing the concern for pedestrians, cyclists and city life in general.

There are three prongs to this plan. The first is the New South Wales Government's transformation of Sydney's public transport system, which is well underway. The second is utilising unused urban space and greening the city. The third is reducing car use and improving pedestrian and bicycle access. I will speak about the second and third of these points, because forward-thinking planning should not just consider hard infrastructure but also green infrastructure.

The Government is preparing to transform neglected and unused public space in Sydney into usable, green, open spaces. Road reserves, unused transport and utility corridors, and land alongside creeks and rivers are all being considered for this transformation. The appointment of a public spaces Minister—with this portfolio being combined with that of Planning—shows that this is a priority for the Government, as does the fact that \$150 million in funding and capital has been allocated to achieve this purpose. This is in stark contrast to members opposite, who did nothing to promote and support public spaces and active transport. The two previous Labor governments were more interested in selling off vast swathes of public land and public corridors to property developers—including in Moore Park, Chatswood and Strathfield, just to name a few places. The Government is serious about investing in green and public spaces as well as active transport. The Minister for Planning and Public Spaces stated:

This Government is building not just the road, rail, health and education infrastructures for our community but also the soft infrastructure and parkland, which are equally important.

The Government also plans to collaborate with local councils as the potential for "pocket parks" or community gardens is explored. All of this is to be accomplished with the goal in mind of leaving a legacy of great public open spaces. It is also important to examine public and green spaces overseas to unearth ideas that could be applied in Sydney. For example, in the United States cities such as Washington, New York and Chicago have delineated and protected cycleways both in streets and through public open spaces. Those cities have encouraged people to take up safe and active forms of transport, whether for recreation or their daily commute, with this also reducing the number of cars on the road and improving the environment.

Public open space and green corridors are important in connecting our communities as well as improving our physical and mental health and wellbeing. The interplay between health and city planning is a comprehensive topic. There are so many ways in which our health can be improved by sensible approaches to urban planning. Public spaces are also significant in mitigating the effects of urban heat islands. That is why the Government has committed to planting five million trees across Sydney, which is a great ambition. Street planting and increasing the street-based tree canopy has been effective in large cities such as New York and Washington, and should also be applied here in Sydney.

Another way the Government is looking to incorporate street-based tree canopies is planting trees along old carriageways and incorporating trees and plants into cycle infrastructure. These are proven ways to create a sense of space and encourage a healthier lifestyle in the community. The Berejiklian Government also aims to reduce the amount of time that people spend in transit and increase the time they spend with their families. This is a core Government policy. Having jobs created in western Sydney, particularly in Parramatta and around the new Western Sydney Aerotropolis, will hugely shorten people's daily commutes. In addition to the decentralisation of jobs, this Government has already transformed public transport in this great city by making car use less necessary for many of our journeys. While many areas in modern cities are designed around cars, the New South Wales Government is working to make Sydney more accessible for other modes of transport, which takes a significant amount of planning.

George Street is one area set to experience a resurgence with mixed-use areas for the light rail and pedestrians making the street a much more attractive place to shop, meet and spend time. There is also important groundwork being laid with the City of Sydney to improve cycle lanes and pedestrian access throughout the city because increased pedestrian and cyclist usage is integral to improving sustainability and people's health in our cities. The appointment of the Minister for Planning and Public Spaces comes under the planning cluster. He is extremely passionate about urban planning and the opportunities that Sydney has in the public and green space arena are endless. I look forward to an exciting future for our State.

REPRODUCTIVE HEALTH CARE REFORM BILL 2019

The Hon. GREG DONNELLY (17:30): Honourable members know I normally take time to prepare typed speeches so I can be very clear and unequivocal about what I say in important debates. However, a few things are happening in the Parliament at the moment which have distracted me. I make some brief reflections on the Reproductive Health Care Reform Bill 2019, which is occupying the minds of 93 colleagues in the other place and 42 members in this place. If it is not, it should be. Now that the debate is underway it is important that all members across both Houses and within their political groups and internal factions understand that we are dealing with a very significant social policy and individuals have strong views. As elected representatives and professional politicians it is beholden on us all to exercise control on the sort of language we use and the statements we make. I do not reflect on any particular member or any party but some statements have been unhelpful and have not allowed people to ventilate, and dare I say vent, in a controlled, sensible and considered way, on what is a very difficult matter.

My views will ultimately be dealt with when I make a contribution when and if the bill gets to this House. We know how it got to the other place and it is working its way through the bill. It is not being debated at the moment but I understand member will returned to it later today and perhaps that debate will continue tomorrow and beyond. In information I have circulated, I have said a number of things one way or the other, up hill and down dale, which has essentially not gone to the issue, and deliberately so. And that is the question whether abortion—the decision taken by a woman to terminate a pregnancy as opposed to a natural miscarriage—ought to not be regulated by the New South Wales Crimes Act 1900.

For the moment I have said that is a matter we will come to by virtue of the bill being introduced in Parliament and matters will take their course. The bill will be voted up or down one way or the other. I am very concerned about the lack of deliberative process which allows members to engage in debate with a bit of notice and to have the ability to work among themselves and across party lines when looking at a very challenging issue.

The bill had five original co-sponsors and two of those members from this place, Deputy President the Hon. Trevor Khan and the Hon. Penny Sharpe, have taken a lead role. The other five members are from the other place. Those member have been involved in introducing the bill in the other place and maybe its ultimate progress here. The list of co-sponsors has grown to 15 and over time that number may increase. I have been encouraging people to think that if abortion is to come out of the Crimes Act in New South Wales, we need to be thinking about what a piece of legislation would look like without expressing an opinion about the grave conscience issues, moral issues, the life or death of the unborn vis-a-vis the woman's right to choose.

I am still reflecting hard on my views on what such a piece of legislation would look like, and ultimately whether I would support it. I will make a decision about it. I find it extraordinary that we are not deliberating on what the bill would look like. The bill has been introduced to Parliament in the other place. It would have to be seen as a very modest bill with minimum provisions and surely we need to look at it a lot more closely. [*Time expired.*]

GREYHOUND RACING INDUSTRY

The Hon. MARK LATHAM (17:35): The owners and trainers in the New South Wales greyhound industry are salt-of-the-earth people who love their dogs and want nothing more than to enjoy and express

themselves through the great Australian cultural tradition of racing their animals. We know the faulty decision in trying to ban this industry and that its authors Mike Baird and Troy Grant are gone. With the legislation that was put in place, particularly the work of the Greyhound Welfare and Integrity Commission [GWIC], we now run the risk that what the ban did not achieve, GWIC can achieve by over policing and effectively policing this industry out of existence. I have concerns and material has been passed on to me by genuine greyhound owners and trainers that I now bring to the attention of the House. One such industry participant writes:

I have been involved in greyhounds for 38 years and have an unblemished record. I recently had an inspection by GWIC which, at the end of the day, resulted in the death of my beloved greyhound and a threat to my health through anxiety. The inspector was intimidating in that he insisted that two of my greyhounds be presented to a vet. One was 10 years old with no significant health issues but, according to the inspector, required some dental work. The resultant minor operation developed complications and she died.

That is not animal welfare. That is unnecessary interference in the ownership and management of the dog such that the dog tragically passed away. In another case, a retired 12-year-old dog died when it could not be presented for anaesthetic so it was put down. The greyhound owner and trainer writes:

The kennel housing 15 dogs was examined with a fine tooth comb. I felt intimidated as they went out of their way to find faults. Some minor issues were found, which are being rectified. Due to this experience I have decided not to breed in the future and will be getting out of the industry.

That is a good person lost to greyhound racing in New South Wales due to over policing, excessive Government involvement and too much power exercised by the State. Another letter sent to me states:

The last time the inspector was here she criticised my 80-year-old grandmother's bird aviary regarding water quality.

That has nothing to do with greyhounds. Those GWIC inspectors have too much power and it has gone to their heads. It letter continues:

My mother has no engagement with greyhound racing and does not do any work whatsoever on the greyhound premises. She lives in her own home quite separate from greyhound management. She was visibly shaken and in tears following the GWIC visit and attack.

It gets worse because the greyhound owner and trainer was not there. The inspectors asked the son the following question:

Are there any gun cabinets close by where you could hide illegal substances?

Then he said they uttered something about hormones for greyhounds. With nothing to hide the son opened the gun cabinet and showed the GWIC staff five registered guns with ammunition. The trainer asked if that was part of the GWIC oversight. Of course it is not. Why are those inspectors going on to properties, complaining about bird water, then inspecting a gun cabinet which has nothing to do with legitimate policing of the greyhound industry? Another greyhound trainer writes that there was a direction to present their 10-year-old and a 12-year-old pet greyhounds within seven days to a vet to have their teeth cleaned. They write:

I was informed that there was nothing wrong with the dogs' teeth, however a scale and polish was undertaken for both dogs at a cost of \$55 each.

This is unnecessary, excessive interference in the business of people who are effectively pet owners because the greyhounds are retired. The inspectors at those premises also complained about holes dug in the yard. Well, puppies dig holes.

This owner would fill them in on a regular basis but still GWIC was policing in an excessive way. They even complained about rust on the tie wire on the chain wire fence—rust on a farm property! Whoever would complain about such a thing? It is just way over the top. So many people are complaining. I have other instances that I could provide to the House. It goes on. The central message is that any government agency is set up and the power goes to its head—there is no effective transparency and control over GWIC—it will go way too far. This industry is at risk of being policed out of existence. I bring this to the attention of the House and, in particular, the new Minister, Kevin Anderson, who I can report happily on another front has done good things for greyhounds. He has improved dramatically the Greyhound Racing NSW Board. He has increased prize money for the bush. He is trying to free up the capital funding for improvement of country track facilities, which is a very good thing. Overall, the Minister is headed in the right direction. He knows the industry and he is doing a good job. I now ask him to draw his attention to the excessive policing by GWIC and bring it well and truly under control.

HEALTH WORKER SAFETY

The Hon. MARK BUTTIGIEG (17:40): I bring to the attention of the House the plight of health workers in New South Wales. The Liberal-Nationals Government is continuing to put the health workers in New South Wales in danger. We now have a safety crisis in our hospitals. Ongoing security issues and increasing violence has meant that hospitals are now a dangerous environment for health workers and the larger community.

More than 40 assaults occur in New South Wales hospitals each month. High levels of violence should not be commonplace in our hospitals but unfortunately they are. No worker in New South Wales, including hospital workers, should experience being stabbed, shot, punched, spat on, beaten and abused.

I applaud the 22,000 Health Services Union [HSU] workers who have been taking industrial action for about a week now. I commend the Secretary of the Health Services Union, Gerard Hayes, who has taken up the issue with the Government in a bid to protect his members. This union does not take industrial action lightly; they have not been out for over 20 years. They are taking action because they passionately believe in the right to a safe workplace. Health workers have been forced to take action as it is very clear that the safety of patients, medical and administration staff, security workers and visitors in hospitals is in jeopardy. Those workers have pleaded with the Government for years to increase security and safety measures. By failing to provide meaningful action the Government has chosen not to protect those workers and the public.

A release of an interim report in February regarding security in hospitals acknowledged that there is disturbing violence in our hospitals. This is not denied. However, there has still been no effective action to protect the hardworking health workers of New South Wales. The health Minister and the Government should not be waiting for yet another review and report to be released later this year to consider taking any real and consequential action. Health staff are sick of reviews and want to see the Government take action to protect them while they are working. Workers are constantly facing dangerous conditions and cannot afford for the Government to continue to sit on its hands. This issue requires the Government's urgent attention now.

Just last weekend at Sutherland Hospital a man became aggressive with hospital staff and a security guard were headbutted and assaulted. A paramedic in Miranda was spat on, nurses endured a verbally aggressive tirade at Auburn Hospital where the man was eventually arrested and at Nepean Hospital a security worker needed emergency treatment for facial and arm injuries. Far more serious incidents involving shootings and stabbings have also occurred. It is totally unacceptable. If it were to happen in this Parliament action would be taken on the day. The safety needs of health workers cannot continue to be ignored by the Government. The offer by the health Minister of trialling a small increase in the number of security officers at some select hospitals is just not good enough. We must ensure that proactive and effective measures are put in place across all hospitals to fix this urgent safety crisis.

The Labor Party supports the Health Services Union in its call for an increase in staff, including for a significant increase to security staff. It is not just about an increase in staff, it is about training health staff with better programs, including training in de-escalation to help deal with difficult patients. This is not an easy job. The Government should be acting to protect workers. No-one should have to endure what these workers have been putting up with. Many of them are caring for sick patients and they should not have to be in fear of their safety. It is very clear that our hospitals are not safe places for staff and the public and the problem has gone on for far too long. The safety of staff, patients and visitors in hospitals needs to be a priority for the Government and I urge the Government to work with this good union to get a resolution on behalf of workers and patients in the public health system.

PARLIAMENTARY FRIENDS OF THE UNITED KINGDOM

The Hon. SCOTT FARLOW (17:45): Tonight I speak on the close relationship between the United Kingdom and Australia, which has long underpinned our shared heritage, common interests, closely aligned strategic outlook and cultural exchange.

The Hon. Damien Tudehope: As long as you talk about the cricket.

The Hon. SCOTT FARLOW: And I will talk about the cricket; that is a very good point raised by the Minister for Finance and Small Business. As many members in this place would know, I have long been a supporter of the close relationship that Australia, and particularly New South Wales, shares with the United Kingdom. This support continued into Parliament with me when I established the Parliamentary Friends of the United Kingdom, which aims to further our already strong ties and in particular develop stronger business and trade relations between the two nations.

As chair of the Parliamentary Friends of the United Kingdom, I was quite pleased to write to the Rt Hon. Boris Johnson, MP, to congratulate him on his acceptance of the request of Her Majesty The Queen to form a government in her name and his subsequent appointment as Prime Minister of the United Kingdom and First Lord of the Treasury. Prime Minister Johnson is a great friend of Australia and in particular a great friend of New South Wales. He visited this State in July 2017 and toured the Sydney Opera House with the Premier. Unfortunately, one of my great regrets in life was that I was out of the State and unable to join him for a small lunch.

As many members would know, the Parliamentary Friends of the United Kingdom has a close relationship with the British Consul-General Michael Ward; the British High Commission, led by the new High Commissioner, Her Excellency Ms Vick Treadell; and the British Chamber of Commerce, led very ably by David McCredie, its CEO, and David Slessar, its chair. This relationship will be further boosted by the Premier's upcoming trade mission to the United Kingdom when she will be joined by the Minister for Jobs, Investment, Tourism and Western Sydney. The trade mission is the first time a New South Wales Premier has visited the United Kingdom for over 14 years and will provide unique investment opportunities for New South Wales, particularly given the fact that Prime Minister Johnson will be leading the United Kingdom through Brexit.

While the United Kingdom is not technically able to negotiate trade agreements until it terminates its customs union with the European Union, the Commonwealth has already put in place working groups between Australia and the United Kingdom to explore possibilities and it is possible that a free trade deal between our two nations could come within months or even weeks of Brexit. In fact, newly appointed United Kingdom Secretary of State for International Trade, Liz Truss, recently stated that the United Kingdom is committed to getting a free trade deal implemented as soon as possible.

The United Kingdom is the fifth largest economy in the world and is a well-developed, diversified and market-based economy. It is Australia's eighth largest trading partner, with two-way trade in 2018 valued at \$26.9 billion. Importantly, the United Kingdom is the second largest source of total foreign investment in Australia, valued at \$574.8 billion in 2018. It is also important to note that it is the fourth largest source of international visitors to Australia after New Zealand, the United States of America and China. I commend the United Kingdom on the seamless integration now of the ePassport system into the UK to make it easier for Australian tourists to enter the UK.

Around 302,000 tourists from the United Kingdom visit Australia every year, which is about 1.2 per cent of their population, and New South Wales is of course the most popular destination, with 55 per cent of visitors. Clearly New South Wales is in pole position to capitalise on a future free trade agreement. I congratulate the Premier on her strategic timing of her upcoming trade visit. Perhaps this is the time to reflect on the role of an agent-general for New South Wales considering that the agent-general position has existed for Queensland, South Australia, Victoria and Western Australia. I am sure it is a position that the Premier and the Minister for Regional New South Wales, Industry and Trade will continue to consider. I raise that because it has been raised with me by many people from the British business community.

There is no doubt that Brexit opens a wide variety of new opportunities for Australia and New South Wales. Our long and enduring friendship with the United Kingdom is strengthened by the close relationship with their new Prime Minister, the Rt Hon. Boris Johnson MP, and our nation. I note that his father is in this country as I speak. There is a bright future for New South Wales and the United Kingdom. I look forward to seeing opportunities emerge over coming months. In the short time that remains for my speech, I thank the Deputy Consul General of the United Kingdom, Jo Freeman, for her service to the people of New South Wales and the United Kingdom. She is leaving the post to take up the position of consul general in Queensland. I have already warned her that she will be missing much of the vibrancy of New South Wales, but I wish her well in her new role and thank her for her friendship to the Parliamentary Friends of the United Kingdom in the New South Wales Parliament.

EID AL-ADHA

The Hon. SHAOQUETT MOSELMANE (17:50): This Sunday the Islamic community in Australia will celebrate Eid Al-Adha, which is the second of two Islamic holidays celebrated worldwide each year and considered the holiest of the two. I take this opportunity to wish all people of the Islamic faith in Australia and around the world Eid Mubarak.

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

Motion agreed to.

The House adjourned at 17:51 until Thursday 8 August 2019 at 10:00.