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NSW government dealt embarrassing blow as leader kicked out of upper house

Sydney Morning Herald

By [Alexandra Smith](#)

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The Berejiklian government has been dealt a humiliating blow with its most senior minister of the upper house suspended from Parliament in a rare move last used more than 20 years ago. In an extraordinary development, the leader of the government in the upper house Don Harwin was removed from the chamber late on Tuesday by the Usher of the Black Rod.



[Leader of the government in the upper house Don Harwin was suspended from the chamber on Tuesday night, the first time it has happened since 1998. *CREDIT: DOMINIC LORRIMER*]

A motion to hold the leader of the government in contempt last occurred on November 27, 1998 when the then Labor treasurer Michael Egan was suspended from the chamber.

Mr Harwin was suspended for the remainder of the day after the Berejiklian government failed to produce documents showing signed paperwork relating to more than \$250 million in council grants. Premier Gladys Berejiklian directly approved more than \$100 million in the grants, but the only records of the approvals are in the form of emails from policy advisers. The grants, which Labor's MP John Graham told the house were worth "two-and-a-half times the federal sports rorts" scandal, were distributed almost exclusively to councils in Coalition-held seats.



[Don Harwin being escorted out of the NSW Legislative Council on Tuesday night.]

The government has confirmed no signed approvals exist for 249 grants rubber-stamped between June 2018 and March 2019 from the Stronger Communities Fund, established after council mergers.

Labor's leader in the upper house Adam Searle told the house that the government's failure to produce signed approvals could amount to "maladministration, corruption or illegality". Greens MP David Shoebridge said the NSW government used "public money to bankroll their election campaign". "The Greens view this behaviour as corruption, with the Premier and Deputy Premier's fingerprints all over it," Mr Shoebridge told the upper house.

One Nation leader Mark Latham described the distribution of the government's Stronger Communities Fund as the "mother of all rorts" and an abuse of "other people's money". "One gets the impression they did this because they could," Mr Latham told the Parliament. In one case, Ryde Council received funding of more than \$2 million for a skate park before applying for a grant, while Hornsby Council, which was not amalgamated, received \$90 million to turn a quarry into a park. Both councils are in Coalition-held seats.

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Leader of the house Damien Tudehope said the government was being dealt a "punishment" despite the situation being "incapable of being remedied" because the signed documents do not exist.

The upper house spent much of the day debating the motion, which saw the President John Ajaka initially rule against the point which would have prevented Mr Harwin's removal.

But Labor moved a dissent motion against the President's ruling, again a rare move not employed since 1999. The government closed down the house for 30 minutes, before revoking the President's ruling, paving the way for Labor's suspension.